

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

FULL LEGISLATURE

BUDGET REVIEW

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

October 16, 2013
1:07 p.m.

REGAL REPORTING SERVICES
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A P P E A R A N C E S :

NORMA GONSALVES
Chair

KEVAN ABRAHAMS
Minority Leader

ROBERT TROIANO

CARRIÉ SOLAGES

DELIA DERIGGI-WHITTON

JOSEPH SCANNELL

FRANCIS X. BECKER

HOWARD KOPEL

VINCENT MUSCARELLA

RICHARD J. NICOLELLO

JUDI BOSWORTH

WAYNE WINK

MICHAEL VENDITTO

JOSEPH BELESI (Not Present)

DENNIS DUNNE, SR.

DENISE FORD

JUDITH JACOBS

ROSE MARIE WALKER

DAVID DENENBERG

WILLIAM MULLER
Clerk of the Legislature

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PAUL BRODERICK, Deputy Commissioner
Department of Social Services. 19

LISA MURPHY, Commissioner
Department of Human Services 87

PAT BOYLE 119

TOM BRUNO 125

2 CHAIRWOMAN GONSALVES: At this time I'm
3 going to ask Legislator Dunne to lead us in the
4 Pledge of Allegiance.

5 (Whereupon, the Pledge of allegiance was
6 recited.)

7 CHAIRWOMAN GONSALVES: Mr. Muller, would
8 you please call the roll?

9 CLERK MULLER: Deputy Presiding Officer
10 Nicoletto?

11 LEGISLATOR NICOLELLO: Here.

12 CLERK MULLER: Alternate Deputy
13 Presiding Officer Kopel?

14 LEGISLATOR KOPEL: Here.

15 CLERK MULLER: Legislator Troiano?

16 LEGISLATOR TROIANO: Present.

17 CLERK MULLER: Legislator Solages?

18 LEGISLATOR SOLAGES: Here.

19 CLERK MULLER: Legislator Ford?

20 (No verbal response.)

21 CLERK MULLER: Legislator Scannell?

22 LEGISLATOR SCANNELL: Here.

23 CLERK MULLER: Legislator Becker?

24 LEGISLATOR BECKER: Present.

25 CLERK MULLER: Legislator Muscarella?

2 LEGISLATOR MUSCARELLA: Here.

3 CLERK MULLER: Legislator Bosworth?

4 LEGISLATOR BOSWORTH: Here.

5 CLERK MULLER: Legislator Wink?

6 LEGISLATOR WINK: Here.

7 CLERK MULLER: Legislator Venditto?

8 LEGISLATOR VENDITTO: Here.

9 CLERK MULLER: Legislator Belesi?

10 (No verbal response.)

11 CLERK MULLER: Legislator Dunne?

12 LEGISLATOR DUNNE: Here.

13 CLERK MULLER: Legislator Jacobs?

14 LEGISLATOR JACOBS: Here.

15 CLERK MULLER: Legislator Walker?

16 LEGISLATOR WALKER: Here.

17 CLERK MULLER: Legislator DeRiggi-

18 Whitton?

19 LEGISLATOR DeRIGGI-WHITTON: Here.

20 CLERK MULLER: Legislator Denenberg?

21 LEGISLATOR DENENBERG: Here.

22 CLERK MULLER: Minority Leader Abrahams?

23 LEGISLATOR ABRAHAMS: Here.

24 CLERK MULLER: Presiding Officer

25 Gonsalves?

2 CHAIRWOMAN GONSALVES: Present.

3 CLERK MULLER: We have a quorum.

4 CHAIRWOMAN GONSALVES: I just have a
5 brief opening statement.

6 First of all, welcome to the second of
7 three hearings on the proposed 2014 budget.
8 Today we will focus on two departments, the
9 Department of Social Services and Department of
10 Human Services.

11 Social Services is a large part of the
12 Nassau County budget each year. Entitlement
13 programs in New York State, unlike most states,
14 requires a 25 percent contribution from each
15 county. This state mandate impacts on the budget
16 of Nassau County dramatically. In the proposed
17 2014 budget that impact is more than \$507
18 million.

19 In addition, Nassau County provides
20 services to those with chemical dependency and
21 mental health issues, members of our county who
22 are physically challenged, our seniors, and our
23 youth. All of these services fall under the
24 Department of Human Services.

25 We will deal with these two departments

today. We will start with the Department of Social Services.

At this time I am pleased to call John Imhoff.

COMMISSIONER IMHOFF: Thank you very much.

CHAIRWOMAN GONSALVES: Will you please state your name and members of your staff for the record, please?

COMMISSIONER IMHOFF: Absolutely. Thank you very much. My name is John Imhoff. I am the Commissioner of the Nassau County Department of Social Services. To my immediate left is Paul Broderick, who is the Deputy Commissioner of the Department of Social Services, and to my far left is Mr. Brendan Roach, who is our Senior Accountant of the Department of Social Services.

Thank you very much for the opportunity to present our Department to the Legislature. I thought I would begin by giving you a quick overview of the status of the Department, where we have come over the last few years, and most currently the last year, year and a half.

Most of you have a copy of the PowerPoint

2 at your desks. We were short three copies, I'm
3 very sorry. We just didn't finish the color
4 printing in time. We wanted you to see the
5 graphs. So I was short three, I apologize. You
6 also all have a copy of the most recent annual
7 report of the Department.

8 CHAIRWOMAN GONSALVES: Do you have
9 copies of this for presentation? Because we have
10 extras over here.

11 COMMISSIONER IMHOFF: It's a brief
12 presentation, and we'll be, of course, available
13 for questions afterward.

14 The mission of the Department of Social
15 Services is to provide financial assistances,
16 supportive, and emergency services to eligible
17 individuals and families in Nassau County,
18 consistent with federal, state, and local laws.
19 Specifically, the Department is responsible to
20 provide aid to eligible -- assistance through the
21 Family Assistance, Safety Net, Day Care,
22 employment, SNAP, formerly food stamps, Medicaid,
23 and the Home Energy Assistance Programs. Our
24 responsibility includes establishing an initial
25 child support obligation of a legally responsible

2 individual through the Family Court, to collect
3 support payments, and to enforce and/or modify
4 existing child support orders, and to protect
5 children, adults, and families through abuse and
6 neglect.

7 This is a very brief overview of all of
8 the programs contained within the Department of
9 Social Services: Adult, child support,
10 guardianship, outreach, day care, domestic
11 violence, emergency services, employment, SNAP,
12 fraud investigations, HIV/AIDS services, home
13 energy assistance program, housing, information,
14 internships, legal services bureau, Medicaid, we
15 run the summer youth lunch program for Nassau
16 County, services to children and families,
17 temporary assistance, veterans assistance, and
18 volunteer services.

19 The number of residents that receive
20 services from the Department has increased
21 monthly, and over 30 percent from 2007 to 2011,
22 and an additional five percent in 2012. We are
23 currently seeing nearly 300,000 Nassau County
24 residents in all of these services of DSS.

25 We have seen a growth in temporary

1 assistance for needy families, referred to as
2 TANF. The caseload was 64 percent from 2007 to
3 2011, and has begun to level off in 2012 with a
4 seven percent decrease.
5

6 Safety net assistance. The staggering
7 growth in safety net assistance caseload was from
8 2007 to 2011. There was an increase of 92
9 percent. It appears to have leveled off in the
10 past year with a decrease of five percent, a
11 total of 4567 cases.

12 The program that has had the most
13 significant increase, in terms of applications to
14 DSS, has been the SNAP program, known as
15 Supplemental Nutrition Assistance Program. It
16 continues to grow at unprecedented rates. The
17 caseload since 2007 expanded by 117 percent,
18 another nine percent in 2012, and the numbers
19 continue to grow as more opportunities are made
20 available for people to apply for SNAP, for food
21 stamp assistance.

22 Medicaid caseload has also grown
23 substantially since 2007. There are currently
24 98,000 cases in Nassau County, Medicaid cases.
25 And on the next slide it will show the number of

1 individuals currently receiving Medicaid in
2 Nassau County. It's grown 31 percent since 2007
3 and another nine percent last year. Currently,
4 143,000 Nassau County residents are currently
5 receiving Medicaid for their healthcare
6 assistance.
7

8 Child protective services; we saw a peak
9 in 2008 and '09, and we have now begun to see a
10 slight decrease in 2012. In reviewing the
11 numbers for this meeting, the first nine months
12 of 2013, we are probably going to go back up
13 close to 6,900 or 7,000 for this year. So while
14 there was a decline in 2012, we are beginning to
15 see an increase again in our CPS reports.

16 Our day care caseload has continued to
17 grow from 2,800 in 2007 to a total last year of
18 4,300 children in day care in Nassau County.

19 Our emergency shelter cost, due to a
20 number of initiatives that we have implemented in
21 DSS, I believe a number of those initiatives are
22 contained in the report you have, we have been
23 able to reduce the cost of emergency housing in
24 Nassau County. As you can see, we've had a
25 decline of 31 percent in the cost of shelters.

And we initiated a number of changes, which I will mention briefly.

Over the last at least two years, we have saved \$2.5 million in the emergency housing cost by using technology to better monitor and track the emergency housing population. We have reduced the motel fees and we revised the shelter rates. We saved, nearly \$1.5 million over 2011 expenditures by implementing new security agreement for clients seeking housing. And under the new agreement, landlords are issued a surety for security deposits instead of issuing a cash security deposit. Under that agreement landlords can claim up to two months' rent for damages and unpaid rent once the tenant vacates the property.

We increased the collection of security deposits by 14 percent. Again, the numbers are included there for your review.

We've reduced moving and storage cost by \$147,000 over the previous year by also implementing new guidelines for establishing the cost for moving and storage. Moving and storage costs are incurred when the client's housing becomes an issue, such as eviction or needing to

1 move. And as a result of these guidelines, the
2 housing area reduced moving costs by 20 percent,
3 from 740,000 to 594,000.
4

5 We placed over 750 individuals from
6 emergency housing into permanent housing, saving
7 the county about 2,000 per month and adding up to
8 24,000 a year for singles and \$4,200 per month,
9 or 50,000 per year, for families.

10 Also, we have a homeless re-stabilization
11 project, which is a joint effort to assist and
12 find permanent housing for those who have been
13 homeless, families. It's a project that is
14 currently going on between DSS and the Office of
15 Housing and Community Development.

16 We've diverted over 200 child protective
17 case investigations to the FAR program. The FAR
18 is a Family Assessment Response which kind of is
19 a wrap around program that we apply for and
20 receive from New York State. It saves valuable
21 investigative and legal resources and it also
22 saves a lot of Nassau families from having to
23 endure a formal investigation process; these are
24 for CPS cases that don't have the high level of
25 severity that would require continuing

investigations and can benefit from a comprehensive family-type approach, which is the FAR program.

Last year we finalized the adoption of 31 children, 20 of which were finalized at a special ceremony held at the Long Island Children's Museum on National Adoption Day. We will have 15 children adopted at the next ceremony in November for 2013.

We were pleased to be ranked as one of the top five counties in New York State for the percentage of our public assistance clients that are in employment activities. And the recognition comes after years of providing ongoing training, education, job readiness skills, job development, and employment opportunities to the recipients of social services.

We've had a number of successful job fairs, the last one we held at the Marriot in June. We had 250 employers and it attracted 10,000 job seekers. The Marriot does not want us back because we overtook their hotel with parking spaces and everything. We are planning the next

2 employment fair at the Nassau Coliseum.

3 The job fairs were a coordination of many
4 Nassau County departments, including Office of
5 Minority Affairs, CASA, and the Veteran Service
6 Agency.

7 We've increased customer service by
8 installing bar code scanners in the lobby which
9 affords our clients the opportunity to check the
10 status of their lobby numbers throughout the day.
11 We have a volunteer attorney's program we
12 established which is staffed by volunteer
13 attorneys and law students. The program has
14 allowed a better representation of the agency at
15 fair hearings and it had a very significant and
16 positive impact on fair hearing outcomes.

17 We received a day care grant for \$100,000
18 from the state to increase and enhance our
19 activities addressing child care subsidy fraud.
20 As a result of that grant, at the end of one year
21 we achieved a cost avoidance of over a \$1 million
22 savings to our taxpayers.

23 Our department, Nassau County Child
24 Support Enforcement Unit placed a very
25 instrumental role in the apprehension of the

1 number one most wanted deadbeat parent in the
2 country. He was arrested in the Republic of the
3 Philippines, deported to Los Angeles, and was
4 taken into custody by federal marshals and
5 appeared in federal court in Central Islip, and
6 staff from our child support unit was also there
7 to help testify in that matter. We were very,
8 very much involved in the pursuit of this
9 individual with the state and federal government
10 for a number of years.

12 We also established a guardianship
13 program to ensure that indigent individuals
14 without any family or support would receive
15 appropriate oversight care and case management
16 under the guidance of the New York State Supreme
17 Court.

18 We're currently changing over our phone
19 system with the assistance of the IT Department
20 to further improve our customer service and
21 training. We were also the first county in the
22 state to participate in the OCFS pilot program,
23 known as Disproportionate Minority
24 Representation. As a result of our work over the
25 past three years, the Casey Foundation has

selected Nassau to first the first statewide DMR Conference this fall. I'm pleased to say I was privileged to be reappointed to another term as the Region 8 Long Island Representative for the New York Public Welfare Association.

Our accomplishments in fraud I think are very important for our County. Over the last three years we've totaled \$53.5 million in cost avoidance through our Medicaid investigations.

Thank you for the opportunity of making this presentation to members of the legislature. And we are available to answer any questions you may have at this time.

CHAIRWOMAN GONSALVES: Legislator Ford has joined us.

LEGISLATOR FORD: Good afternoon. Thank you very much. I apologize.

COMMISSIONER IMHOFF: Hi, Legislator.

LEGISLATOR FORD: I thank you very much, and I commend you on doing such a wonderful job in such a vital department here in the County.

COMMISSIONER IMHOFF: Thank you.

LEGISLATOR FORD: I'm just briefly looking through this paperwork here. I notice

1 that it looks like your headcount has gone down
2 significantly from 783, I guess that you're
3 projecting that you're only at 641 employees or
4 640.
5

6 COMMISSIONER IMHOFF: Yes. That's full
7 time.

8 LEGISLATOR FORD: It seems with your
9 testimony here, it seems that more and more
10 people are seeking assistance. I understand with
11 technology and everything else that's going on
12 that perhaps you could streamline a lot of these,
13 you know, make it more efficient with the
14 applications and so forth. But how is it that, I
15 mean, to me it would seem very odd, with 64
16 percent increase, 37 percent increase, you know,
17 the number of people seeking assistance and the
18 process that they have to go through, how is it
19 that we'd be able to deliver these services in a
20 timely fashion with so much less full-time
21 employees.

22 COMMISSIONER IMHOFF: We have instituted
23 many changes in the administrative and
24 organizations structure of the Department of
25 Social Services. We've appointed new directors

2 in different areas. Our staff has done a really
3 wonderful job of keeping track of the increased
4 population that we serve. I believe we are able
5 to handle the population with the numbers that we
6 have. Would we like additional staff? Without
7 question. Without question. But these are the
8 fiscal constraints that we operate under. As I
9 said, a number of technological changes and
10 organizational and administrative changes have
11 really resulted in smoother efficiencies for the
12 Department.

13 LEGISLATOR FORD: And how long -- if
14 someone applies to Medicaid, what is the
15 approximate timeframe from the moment that they
16 apply to the moment they actually hear?

17 COMMISSIONER IMHOFF: From the time of
18 application for temporary assistance it is 21
19 days. For Medicaid it is currently 33 days from
20 the time of application. And for SNAP, for
21 stamps, it's currently 25 days.

22 LEGISLATOR FORD: What percentage of
23 your budget is reimbursed by state and federal
24 government?

25 DEPUTY COMMISSIONER BRODERICK:

Approximately 65 percent overall.

LEGISLATOR FORD: I love the fact that you are going after deadbeat dads or, probably in some cases, deadbeat moms, too. When you actually apprehend these people failing to pay child support which they are ordered by the court, do we get to recoup any of the money that we paid, you know, because, of course, a mother and children then have to rely upon social services to be able to live, to be able to eat, to be able to exist? Like, say if it took a year to find somebody and collect the money, do we get to reimburse, does that person have to reimburse us for whatever we paid out for this family?

COMMISSIONER IMHOFF: Well, they continue to have the obligation of child support that they had previously. The problem is, in most cases, by the time they're apprehended, they've totally ignored their responsibilities, they very often have no funds, and very often the parent and one or two or more children are on social services, getting assistance from us. So unless they are able to return to employment, we're unable to really collect what they have

owed in the past, unless they've come in to some money by some chance and the court can claim that.

LEGISLATOR FORD: Okay. Thank you very much. Once again, I thank you for doing such a good job.

COMMISSIONER IMHOFF: Thank you, Legislator.

CHAIRWOMAN GONSALVES: I have a question.

Do you work in conjunction with the Sheriff's Department?

COMMISSIONER IMHOFF: Yes. We work with the Sheriff's Department, with the New York State Child Support Enforcement Unit. We work with DMV. We work with the State Department. There was an individual about three years ago who wanted to return to the United States after skipping out on his child support for over two years. He went to Thailand. He tried to come back to the United States. He owed about \$183,000. He was denied a passport because we have the deadbeat dads on the State Department list, in the event they leave the country. They

cannot come back in unless they pay. That was an instance where we were able to recoup. He had to pay the \$183,000 before he was allowed to renew his passport. He had made a lot of money overseas. So, in that case we were successful.

CHAIRWOMAN GONSALVES: I have worked with the Sheriff's Department. However, it has come to my attention that there may be a need for more staff in order to deal with the problem. Have you had sufficient staff to deal with this problem of deadbeat dads?

COMMISSIONER IMHOFF: Yes. We do.

CHAIRWOMAN GONSALVES: That's important for me to know.

The other thing is Medicaid; this is a statement program, correct?

COMMISSIONER IMHOFF: Correct. Federal and state. It's federal and state.

CHAIRWOMAN GONSALVES: Federal and state. Changes have been made regarding the involvement in Medicaid. Could you -- whether or not that was so and to what degree does it affect your office in dealing with Medicaid?

COMMISSIONER IMHOFF: That's a very good

question. The answer is still kind of nebulous. The state has been working for over three years on the Medicaid redesign team, and they've made a number of proposed changes, one of them being that the state will take over Medicaid administration. To date, they have not finalized their plans as to how this program is going to be implemented. We are anticipate at some point, perhaps in 2014, that Medicaid may be - the state may begin to assume some of the administrative responsibilities. But we have yet to receive definitive information on what that's going to be. If that should begin to occur, we have contingency plans to move staff to other parts of the department to save jobs. But with the state still undefined in its Medicaid program, it's left a lot of - not just Nassau - but counties around the state - this is a topic of our monthly discussion at the commissioner's meetings, what's going to happen next.

CHAIRWOMAN GONSALVES: I was aware of the fact that there were changes being made and that's why I brought it up. Hopefully the state will, and will give you the ability to transfer

the staff in other ways. Thank you for that answer.

CHAIRWOMAN GONSALVES: Legislator Nicoletto.

LEGISLATOR NICOLELLO: Dr. Imhoff, in response to Legislator Ford's questions you had indicated the turnaround time from the time an application is received and the amount of time it takes to get the services to the individual.

COMMISSIONER IMHOFF: Yes.

LEGISLATOR NICOLELLO: Are they within applicable guidelines, state or federal?

COMMISSIONER IMHOFF: Yes. The temporary systems and the food stamps, SNAP program, are within the guidelines. We are still about three days over on the Medicaid applications. But we are very much in substantial compliance with the guidelines for Medicaid applications.

LEGISLATOR NICOLELLO: Can you compare this County's performance with other counties in the State of New York and those response times?

COMMISSIONER IMHOFF: With other counties? It's very difficult to do that with

2 other counties. I think we have been - we have a
3 comparison for Nassau County; I don't have the
4 figures with me but I can get that for you, in
5 terms of how we're doing versus other counties.
6 It also depends on the size of the counties.
7 There are some very small counties with maybe
8 just less than 100 Medicaid cases, all the way to
9 New York City and the Big Six. So the
10 comparisons have to be made in terms of the equal
11 population distribution.

12 LEGISLATOR NICOLELLO: Going back to the
13 Medicaid response time. Historically, you
14 indicate it's about three days over the
15 guidelines. Historically has that been the case?

16 COMMISSIONER IMHOFF: No. Historically,
17 going back to 2008, our average days for
18 completing applications was far in excess of the
19 application requirements, starting in 2008, 2009.
20 At that point we began to - in fact, it was at
21 that time that Empire Justice, which is an
22 organization that monitors county's application
23 processing times, launched a lawsuit against
24 Nassau County, along with eight other counties
25 that were unable, because of the increasing

1 volume of applications, to keep track with the
2 state or federal requirements for processing. So
3 over the time, over the last three, four years
4 we've made a number of internal administrative
5 changes. We've appointed two new directors. We
6 did a lot of changing within DSS to better meet
7 the application time limits given the, as I
8 showed before, the increased numbers applying,
9 which really started during the recession; the
10 numbers have just escalated. We're beginning to
11 see a little bit of a better turnaround at this
12 point.
13

14 LEGISLATOR NICOLELLO: Thank you, Dr.
15 Imhoff.

16 COMMISSIONER IMHOFF: Thank you.

17 CHAIRWOMAN GONSALVES: Legislator
18 DeRiggi-Whitton.

19 LEGISLATOR DeRIGGI-WHITTON: Hi. I'm
20 just looking at some of the expenses, and I
21 notice that some of them have gone up and some of
22 them have gone down. I'm just kind of wondering
23 how these additions were made. For instance,
24 United Cerebral Palsy Association of Nassau
25 County went from - it comes from Budget Review.

2 It pertains to --

3 COMMISSIONER IMHOFF: That's from
4 Independent Budget Review. What page?

5 LEGISLATOR DeRIGGI-WHITTON: Page four.

6 COMMISSIONER IMHOFF: Page four. I'm
7 sorry. That's probably - I think that's not one
8 of our contracts.

9 LEGISLATOR DeRIGGI-WHITTON: Mental
10 Health, Chemical Dependency.

11 COMMISSIONER IMHOFF: That's not us;
12 that's Mental Health.

13 LEGISLATOR DeRIGGI-WHITTON: I'm sorry.
14 The only other thing that I just wanted to
15 reiterate is, as far as the forms and everything,
16 are you feeling that we have enough staff to
17 expedite is quickly enough?

18 COMMISSIONER IMHOFF: Yes.

19 LEGISLATOR DeRIGGI-WHITTON: All right.
20 So we're not in any way cutting back in any of
21 those areas?

22 COMMISSIONER IMHOFF: No, we're not.

23 LEGISLATOR DeRIGGI-WHITTON: You know, I
24 guess the real concern I have since I've been
25 here - and it's been on and off and on and off -

2 have you found that there's been any problems
3 with keeping your clients accounted for? I know,
4 when we lost funding, when it came back on; how
5 did you handle that?

6 COMMISSIONER IMHOFF: What do you mean
7 by accounted for? I'm sorry.

8 LEGISLATOR DeRIGGI-WHITTON: Just, you
9 know, how do you feel our residents were treated
10 during that time? Do you think you were able to
11 keep them in contact with the county? How do you
12 think that impacted them?

13 COMMISSIONER IMHOFF: We have an
14 excellent customer service department, which has
15 been expanded also in the last two years. We try
16 the best we can when there are individuals who
17 have issues with their application to contact
18 customer service, they have bilingual staff.
19 I've also added two of my three administrative
20 staff to the customer service lines. So we do
21 our best to stay in touch with individuals. I
22 think we do a very good job of having people
23 remain in touch with us. I don't think we're
24 losing track of residents in any way.

25 LEGISLATOR DeRIGGI-WHITTON: Thank you.

COMMISSIONER IMHOFF: You're welcome.

CHAIRWOMAN GONSALVES: Legislator

Denenberg.

LEGISLATOR DENENBERG: Good afternoon,
Commissioner.

COMMISSIONER IMHOFF: Good afternoon,
Legislator.

LEGISLATOR DENENBERG: Just a couple of
questions with respect to a report from Office of
Legislative Budget Review, which is the overview
of the fiscal 2014 executive budget.

For DSS - I'm reading from page 23 - it's
a report that I believe in 2010 the National
Center for Economic Justice and Empire Justice
Center filed a suit alleging that the county had
missed deadlines for handling Medicaid, food
stamps, and temporary assistance, and then it
contended that DSS did not process public
benefits applications in a time manner. Then
according to the budget for this year, it looks
like we paid \$265,000 in legal fees to the Center
for Economic Justice. Then in February of this
year the Empire Justice Center filed a motion for
enforcement and contempt alleging that we didn't

1 reach 100 percent compliance in application
2 deadlines. Our DSS, Nassau DSS argued for and
3 the court accepted the concept of substantial
4 compliance, giving a myriad of conditions that
5 potentially impact upon an application's
6 timeliness. Then a special master was appointed
7 to oversee DSS, I believe at our cost. So the
8 role of the special master is to provide
9 additional federal oversight of your department
10 for a period of 90 days. Where are we in this?

12 I was just listening to other
13 legislators' questions where we said that we're
14 basically on time and were -- I'm sorry -- we are
15 providing benefits in a timely manner. But for
16 the last three-plus years we've had this lawsuit,
17 which I assume we would get better compliance
18 just in response to the suit but I'm not sure.
19 Can you tell me where we are with this? Why
20 we're paying money for legal fees and what the
21 result is going to be?

22 COMMISSIONER IMHOFF: Sure. I'd be
23 happy to.

24 The legal fees were awarded by the court.
25 Originally the amount requested by Empire Justice

I believe was close to \$790,000. The county had proposed \$75,000 and the amount was settled for \$265,000.

Empire Justice again filed suit for contempt stating that we had to adhere to 100 percent guidelines. We fought that and said that it is just about impossible for every application to be completed given all of the conditions that surround an application, including when perhaps documents are not submitted in a timely manner or a client does not return during the time limit. We have a choice of either closing the case or leaving it open for a longer period of time so clients can complete their application. All of these factors have impacted on having a later application deadline, completing time.

However, we argued with the court that 100 percent was really impossible. We made a case for substantial compliance. The federal judge, Sandra Feuerstein, agreed with us, that she felt substantial compliance of completing applications was, indeed, appropriate. At that point, she decided to continue the oversight of our program with an appointment of a special

2 master, Ms. Grace Moran (phonetic), who was
3 appointed by the Judge for a period of 90 days.
4 She's about half way through her review with our
5 Department. Our attorneys have had a number of
6 meetings with the special master, and she's
7 reporting back to the court, I believe in the
8 middle of November. She is appointed pro bono,
9 which is not at a cost to the county for her
10 involvement with us.

11 LEGISLATOR DENENBERG: So the bottom
12 line is what?

13 COMMISSIONER IMHOFF: We are --

14 LEGISLATOR DENENBERG: I mean, we paid
15 out money.

16 COMMISSIONER IMHOFF: We are in
17 substantial compliance at this point with the
18 application requirements.

19 LEGISLATOR DENENBERG: Okay. So how
20 much money have we paid out, \$265,000 so far for
21 legal fees?

22 COMMISSIONER IMHOFF: Yes. That's
23 correct.

24 LEGISLATOR DENENBERG: And what do we
25 have to pay for the special master?

COMMISSIONER IMHOFF: We don't have to pay. It's a pro bono appointment by the federal magistrate.

LEGISLATOR DENENBERG: Okay. Good. But now to achieve substantial compliance - I mean, we're working to achieve substantial compliance -

COMMISSIONER IMHOFF: We have --

LEGISLATOR DENENBERG: Not 100 percent on time but close to it?

COMMISSIONER IMHOFF: Yes. Eighty-eight, 90, 92 percent.

LEGISLATOR DENENBERG: Given that it's benefits, that could be food stamps, it could be health benefits, could be benefits for the indigent or for the elderly, obviously 100 percent compliance would be our goal; I guess that it's impossible to get there, right?

COMMISSIONER IMHOFF: Well, we currently - we have 100 percent currently in food stamps. The deadline application is 30 days; currently our average is 25 days, and we've done that really despite the opportunities for SNAP have become --

LEGISLATOR DENENBERG: Has -- I'm sorry,

2 Commissioner.

3 COMMISSIONER IMHOFF: extensive.

4 LEGISLATOR DENENBERG: Has the special
5 master issued any kind of corrective action plan
6 or any kind of recommendations yet?

7 COMMISSIONER IMHOFF: No. She has asked
8 for a substantial amount of documentation from
9 the department. Attorneys have provided that
10 documentation and she is going to provide I
11 believe an interim report back to the federal
12 court in the next couple of weeks. That's my
13 understanding.

14 LEGISLATOR DENENBERG: So we don't know
15 what the special master is going to recommend yet
16 and we don't know if the special master agrees
17 that we've achieved substantial compliance yet?

18 COMMISSIONER IMHOFF: She has not issued
19 her report as yet, that's correct.

20 LEGISLATOR DENENBERG: So when she
21 issues the report we'll know any recommendations
22 and whether the special master agrees that there
23 is substantial compliance?

24 COMMISSIONER IMHOFF: Yes, sir.

25 LEGISLATOR DENENBERG: Can you provide a

copy of that report to this body when it comes?

COMMISSIONER IMHOFF: Of course. Of course.

LEGISLATOR DENENBERG: Thank you very much.

COMMISSIONER IMHOFF: You're welcome.

LEGISLATOR DENENBERG: Thank you, Commissioner.

COMMISSIONER IMHOFF: Thank you.

LEGISLATOR DENENBERG: Legislator Jacobs.

LEGISLATOR JACOBS: Hi, Mr. Imhoff. It's me. Without a voice, but I want to just ask you one quick question.

The thing that concerns me a little bit with the special master is that I know in other counties, in other instances, once the final report was given, in certain counties they were told to go out and hire people to make up for the loss in people that occurred. Is there anywhere in the budget where that type of demand could be addressed?

COMMISSIONER IMHOFF: Well, the one county that I'm familiar with that was ordered to

2 increase its staff was Suffolk County. In 2010
3 an order was issued by the court. They were
4 found in default and they essentially had to hire
5 125 new staff members, which was not in their
6 budget. We don't have that in our budget either
7 if that were to be a recommendation.

8 LEGISLATOR JACOBS: And what did they do
9 though? Just for us to know. Do you have any
10 idea how Suffolk handled that at the time?

11 COMMISSIONER IMHOFF: No. I don't.

12 LEGISLATOR JACOBS: I'm not saying
13 anything negative.

14 COMMISSIONER IMHOFF: I understand.

15 LEGISLATOR JACOBS: I'm just saying that
16 if it comes out that way, that would be a big
17 consequence of this.

18 COMMISSIONER IMHOFF: Yes. If that were
19 to come forward from the report of the special
20 master or the federal judge, that would be
21 something we would have to contend with and take
22 on.

23 DEPUTY COMMISSIONER BRODERICK:

24 Legislator, that's a good question and this is
25 something we've contemplated a while back.

As part of - I believe Legislator Gonsalves brought up with the state assuming certain phases of Medicaid, certain component, the state has been coming and going. Their target dates have somewhat shifted around quite a bit. But part of what we had discussed internally and we did mention to Master Moran was that as the state starts assuming certain components or phases of Medicaid, that's going to free up staff. Part of the plan is to redeploy staff, give them the training and place them either in temporary assistance, food stamps and other areas of DSS.

As it stands now, we discussed that this could be a possibility. Is it a probability? We don't think so after the submissions we have provided to Master Moran and the court saying, on average it takes I would say six months to train someone, even if we were hiring new staff, on top of that is to go through the Civil Service process of hiring them, so we say, give or take, nine months. This is like in the springtime we were saying even if we wanted to and we made the request, it's somewhat counterintuitive. By the

2 time these people would be up and running and
3 standing on their own two feet, we would be well
4 into the first quarter of 2014 and at that point
5 the state is assuming certain components of
6 Medicaid. We're estimating that the state will
7 assume approximately 62 to 64 percent of the
8 community applications, not like chronic care and
9 nursing homes, but that. We did factor that in.
10 It seems as if they understand the position we're
11 in.

12 LEGISLATOR JACOBS: Okay. I hope for
13 everyone's sake it works out alright because it
14 seems like an enormous consequence that could
15 happen, and hopefully it doesn't. But I'm glad
16 you're a little bit, a step ahead of that.

17 Before I finish I just want to say to Dr.
18 Imhoff thank you. Every time my office calls
19 with something that has to do with health and
20 human services and really serious, serious
21 problems with people, you've been so responsive.
22 And I think you should know that I say that with
23 great thanks to you.

24 COMMISSIONER IMHOFF: Thank you very
25 much.

LEGISLATOR NICOLELLO: Legislator Troiano.

LEGISLATOR TROIANO: Thank you. I want to add my thanks, like Legislator Jacobs, to you, personally, to your staff, and also to the caseworkers who work in DSS. I think you're all working under tremendous strain as caseloads have increased and headcounts have gone down. But I must tell you that there must be something wrong with either your process or you're reaching the point where headcounts are just too low.

You made the comment that it's impossible to reach 100 percent compliance with what I think are federal guidelines, is that not right?

COMMISSIONER IMHOFF: Correct.

LEGISLATOR TROIANO: And I accept that it's impossible to reach 100 percent compliance probably for anything. There are going to be mistakes here and there.

But you were brought under the watch because you had to be substantially less than 100 percent. I don't know if it was 95 percent, 90 percent, or 85 percent.

COMMISSIONER IMHOFF: Yes, beginning in

2008.

LEGISLATOR TROIANO: It was what?

COMMISSIONER IMHOFF: Beginning in 2008,
that's correct.

LEGISLATOR TROIANO: What was it then?

COMMISSIONER IMHOFF: We were -
Medicaid, we were at 81 days.

LEGISLATOR TROIANO: 81 percent.

COMMISSIONER IMHOFF: 81 days.

LEGISLATOR TROIANO: Oh, I'm sorry. 81
days. And you should be at how many days?

COMMISSIONER IMHOFF: Sixty days.

LEGISLATOR TROIANO: Sixty days. Just
using that one as an example, we can go on and do
other examples. But what would account for a 25
percent lapse in meeting the deadline?

DEPUTY COMMISSIONER BRODERICK: Caseload.
Legislator, for Medicaid, for example, in 2008
our caseload was 88,000 cases. Well, 2012 it's
143,000. It's just about doubled.

LEGISLATOR TROIANO: So your caseloads
are up, I understand that. So you're saying that
because caseloads went up you couldn't comply
with an acceptable level for meeting the

2 deadline.

3 COMMISSIONER IMHOFF: Initially we were
4 unable to comply. Then we initiated over a
5 period of actually two to three years a number of
6 internal changes within the department. It's not
7 easy to turn around a huge ship in a week or two.
8 It took a number of changes, administrative
9 changes, appointing a new director in Medicaid
10 applications was one of them as well. Just
11 reorganizing the entire way the department had
12 been handling applications because of the
13 increased volume. And I believe we've begun to
14 see the effects of those changes in our much
15 improved numbers over the last several months.

16 LEGISLATOR TROIANO: So you're at what
17 point now?

18 COMMISSIONER IMHOFF: Well, at this
19 point, 21 day average for temporary assistance,
20 33 days --

21 LEGISLATOR TROIANO: Let's just focus on
22 Medicaid.

23 COMMISSIONER IMHOFF: Pardon me?
24 Medicaid, 33 days.

25 LEGISLATOR TROIANO: So you're taking 33

days now as opposed to the 60.

COMMISSIONER IMHOFF: Yes. Correct.
Eighty-one.

LEGISLATOR TROIANO: I'm sorry?

COMMISSIONER IMHOFF: In comparison to
81 days in 2008.

LEGISLATOR TROIANO: Okay. But the
guideline now is 60 days.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR TROIANO: Did I understand
you said you're now competing applications within
33 days?

COMMISSIONER IMHOFF: Correct.

LEGISLATOR TROIANO: Okay. So there
shouldn't be a need for the special master any
longer.

COMMISSIONER IMHOFF: Well, there are
many parts of the Department and different types
of Medicaid cases. There are chronic cases that
extend out to 90 days, which we are in
substantial compliance with as well. The chronic
care cases depend on whether or not, for example,
a nursing home application is brought into DSS on
time. We have 90 days to process a chronic care

2 Medicaid application. What happens very often is
3 nursing homes will hold the application, because
4 they don't have all the documents yet, until the
5 80th or 85th day, sometimes the 89th day. We get
6 it at the very last moment and we have to then
7 continue to work on it. We are already out of
8 compliance with that application.

9 All of these factors have been brought to
10 the attention of the special master. She's asked
11 for a tremendous amount of information from all
12 of our Medicaid and temporary assistance areas.
13 So I am hoping there will be a positive outcome
14 from her review of the documents. And as I said,
15 I feel that compared to 2008 and '09 we've made
16 substantial progress in all of the application
17 deadlines.

18 LEGISLATOR TROIANO: So what was the
19 compliance percentage - I guess going back to
20 2008?

21 COMMISSIOENR IMHOFF: I don't have the
22 percentages with me, Legislator. I can get that
23 for you.

24 LEGISLATOR TROIANO: Do you know what it
25 is today?

2 COMMISSIONER IMHOFF: Pardon me?

3 LEGISLATOR TROIANO: Do you know what it
4 is today?

5 COMMISSIONER IMHOFF: I don't have the
6 percentages. I have them by numbers here.

7 LEGISLATOR TROIANO: So you have them by

8 -

9 COMMISSIONER IMHOFF: By numbers. By
10 number of days. I don't have the percentages,
11 but I can get that for you.

12 LEGISLATOR TROIANO: Did other counties
13 have similar problems -

14 COMMISSIONER IMHOFF: Yes.

15 LEGISLATOR TROIANO: going back to when
16 the caseload started to increase?

17 COMMISSIONER IMHOFF: Yes. Empire
18 Justice, besides suing Nassau County, sued
19 Suffolk County, Albany, Oneida, Monroe, Erie,
20 Albany, and Columbia County was just sued.

21 LEGISLATOR TROIANO: I think there are
22 some 62 counties in the state, something like
23 that.

24 COMMISSIONER IMHOFF: I'm sorry?

25 LEGISLATOR TROIANO: I think there are

some 62 counties in the state.

COMMISSIONER IMHOFF: Fifty-seven.

LEGISLATOR TROIANO: Fifty-seven. And I think you named about eight that came under the fire of Economic Justice. So the other counties were in compliance, we think?

COMMISSIONER IMHOFF: I don't know. I don't have the numbers for the other counties.

LEGISLATOR TROIANO: For some reason they picked those eight counties, I guess because those eight were exiguous in their -- how far they're out of compliance.

COMMISSIONER IMHOFF: Those are the largest counties in the state as well, with the exception, of course, of New York City.

LEGISLATOR TROIANO: And I think as part of that suit you agreed to a stipulation setting certain deadlines.

COMMISSIONER IMHOFF: That we would be in substantial compliance with the deadlines.

LEGISLATOR TROIANO: And have you met those?

COMMISSIONER IMHOFF: Yes. We are currently in compliance. That's correct.

LEGISLATOR TROIANO: So everything that you agreed to in the stipulation --

COMMISSIONER IMHOFF: We have been meeting up to this point, yes, sir.

LEGISLATOR TROIANO: Has the county ever been under jurisdiction of a special master before?

COMMISSIONER IMHOFF: I don't believe so. Not to my knowledge.

LEGISLATOR TROIANO: What would you think accounts for the slowdown in the increase in cases in 2012 versus 2011?

COMMISSIONER IMHOFF: I think there's beginning to be an improvement in the economy. I think the unemployment rate has improved in our county. We've had a number of people who have found jobs and are no longer on public assistance. We have people who have been on public assistance who have aged out, 60 months is the maximum, and many people have come off the rolls. So I think those combination of factors has resulted in a decrease in the application for TANF, temporary assistance.

LEGISLATOR TROIANO: Okay. And you

2 would like additional staff, I guess everybody
3 would. Do you feel -- this is really a
4 subjective question. Do you feel you are able to
5 provide services the way you'd like to? Could
6 you do a better job providing services if you had
7 more staff at this point or have technological
8 advances enabling you to serve as many people as
9 you need to with the given level of staff?

10 COMMISSIONER IMHOFF: I think we're
11 doing a very good job with the staff we have. As
12 I said earlier, we'd always love to have more
13 staff, but given our fiscal constraints that's
14 not possible. But given our needs at this time I
15 feel that we're able to get the job done.

16 LEGISLATOR TROIANO: But you don't think
17 -- I don't want to put words in your mouth. I
18 understand everybody would like to have more
19 staff. But are you satisfied with the level of
20 service you are able to provide now given your
21 current levels of staff?

22 COMMISSIONER IMHOFF: I am never
23 satisfied with anything I do; I don't care what
24 it is.

25 LEGISLATOR TROIANO: That must make life

1 very difficult.

2
3 COMMISSIONER IMHOFF: Not really. I
4 just see challenges in everything. I do the best
5 I can. We're not perfect. There are always
6 opportunities for improvement. As in every part
7 of our department, I see it the same way. So, in
8 terms of satisfaction, I don't feel the
9 satisfaction like we've done the best we can and
10 now we can relax. I think we still need to try
11 to get additional support from the state.

12 You have to realize, as you know, the
13 unfunded mandates from the state have been
14 overwhelming. For example, the ability for
15 people now to apply online for food stamps, for
16 SNAP assistance, thousands of thousands of new
17 applications have come in as a result of that,
18 and these are people who need the food stamps.
19 We did not get one cent increase. We've done a
20 lot of internal changes, technology wise, staff
21 wise, our leadership has been phenomenal, the
22 people that run our departments.

23 But satisfied? In that sense - I know
24 what you mean but I don't sit back. We have to
25 keep trying to do better.

LEGISLATOR TROIANO: Thank you.

Do you know if Nassau residents were impacted by the -- I'm not sure what they call it -- the food stamp computer glitch that happened?

COMMISSIONER IMHOFF: No. We were not. Nassau County was not affected.

LEGISLATOR TROIANO: So no Nassau residents were impacted by that?

COMMISSIONER IMHOFF: There were other states. The Xerox glitch resulted - 17 other states, mostly in the mid-west and California. We were okay.

LEGISLATOR TROIANO: That's great. Thank you.

CHAIRWOMAN GONSALVES: Deputy Presiding Officer Nicoletto.

LEGISLATOR NICOLELLO: Dr. Imhoff, when was the case filed against the county that we're talking about, that resulted in a special master?

COMMISSIONER IMHOFF: Right at the beginning, I believe, of - let's see. We were put on notice that we would receive a suit on December 1, 2009 --

LEGISLATOR NICOLELLO: December 1, 2009.

COMMISSIONER IMHOFF: Correct. And the actual lawsuit -- I don't have the copy with me -- came in in early 2010.

LEGISLATOR NICOLELLO: Okay. And the complaint was about the performance of the Department of Social Services over a certain period of time?

COMMISSIONER IMHOFF: Over the previous three years, that's correct.

LEGISLATOR NICOLELLO: So we're talking 2007, 2008, and 2009.

COMMISSIONER IMHOFF: That's correct, sir.

LEGISLATOR NICOLELLO: Now, I believe you said before that in 2008 it took 81 days to get someone their benefits after they applied.

COMMISSIONER IMHOFF: In 2008, that's correct. Yes, sir.

LEGISLATOR NICOLELLO: And currently it's down to 33 days.

COMMISSIONER IMHOFF: Yes, sir.

LEGISLATOR NICOLELLO: At the same time, applications are up some 60,000-plus.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR NICOLELLO: Okay. Sounds like there's obviously been improvement there and someone's doing a great job in your department.

COMMISSIONER IMHOFF: I've got a great staff. DSS has a wonderful staff, we really do. They work very hard. Very dedicated and very loyal staff in my department.

LEGISLATOR NICOLELLO: Thank you.

COMMISSIONER IMHOFF: Thank you.

CHAIRWOMAN GONSALVES: Legislator Walker.

LEGISLATOR WALKER: A very quick question. In regards to the fact that you said you choose often to keep cases open even though they didn't have the proper documentation or whatever, if you choose, which certainly wouldn't be a benefit for our residents, but if you choose to just close that case then certainly it would bring --

COMMISSIONER IMHOFF: Hundred percent. We'd have 100 percent compliance.

LEGISLATOR WALKER: Right. And what you're doing really benefits the people of Nassau that --

COMMISSIONER IMHOFF: That's why we do it. That's why we make those exceptions, when necessary.

LEGISLATOR WALKER: Okay. And I, too, would just like to thank you and Mr. Broderick, and certainly everyone, your staff, your department heads, they certainly are absolutely wonderful. They do all they can to help us and assist us whenever we make that phone call, and certainly really to benefit those people who are in need the most.

COMMISSIONER IMHOFF: Thank you.

LEGISLATOR WALKER: Thank you.

CHAIRWOMAN GONSALVES: I'm going to go with Legislator Solages.

LEGISLATOR SOLAGES: Thank you. Dr. Imhoff, again, thank you very much for your work. I understand the pressures that you're under, in terms of an increasing caseload and a decreasing headcount, as terms of those working for you in your office. But I appreciate everything that you do.

Piggybacking on Legislator Nicoletto's question; isn't it true that on March -- that the

violation of the stipulation that occurred was going forward from March 2011 forward?

COMMISSIONER IMHOFF: That was, I believe, the -- that was a -- we had still not reached full compliance so there was another stipulation I believe that was entered by Empire Justice. I don't have the specific dates with me, but I believe --

LEGISLATOR SOLAGES: Beyond March 2011.

COMMISSIONER IMHOFF: I believe that's what you're referring to. We were still in the process but had not yet achieved the substantial compliance that we were required to achieve.

LEGISLATOR SOLAGES: Okay. So not before 2009 but after 2009, specifically 2011 going forward.

COMMISSIONER IMHOFF: 2009 was the first lawsuit for the lack of filing timeliness from 2008, '09, and '10. And then 2011 was a second suit stating there was continuing non-compliance with the guidelines.

LEGISLATOR SOLAGES: Isn't it true that the motion for contempt was based on conduct that occurred after March 2011?

COMMISSIONER IMHOFF: I'm not familiar whether it was after -- just for that two year period, I don't believe so. I will have to check on that.

DEPUTY COUNTY EXECUTIVE SULLIVAN: Legislator, do you mean like the motion of contempt that we're not in compliance?

LEGISLATOR SOLAGES: Yes. With the stipulation.

DEPUTY COUNTY EXECUTIVE SULLIVAN: With the stipulation.

COMMISSIONER IMHOFF: That was just a continuation of the original -- I believe it was a continuation. I'm not certain. I'd have to check to see the document itself.

DEPUTY COUNTY EXECUTIVE SULLIVAN: The period of time leading up to the suit was prior to 2010. The stipulation was after that, when we were working towards substantial compliance.

Substantial compliance was not defined. I think Legislator Troiano brought up. It's nearly impossible to be 100 percent fully compliant, and that's with the federal regulations. With Master Moran, she's here not

2 as "oversight" but she is reviewing our
3 operations to see if we're doing things in an
4 efficient manner, in a logical manner. She, I
5 believe, is going to submit to the court, to
6 Judge Feuerstein, what she believes substantial
7 compliance should be, given some of the things,
8 and if we're achieving that goal.

9 As the Commissioner had mentioned, when
10 nursing homes or hospitals submit their
11 applications for Medicaid on day 85 and we have
12 90 days to -- we have five days to process it --
13 and there are a host of reasons why they hold on
14 to it. Similarly, when someone submits for food
15 stamps, SNAP, application online, they have ten
16 days to provide us with the documentation, we
17 can't deny that application until day 30. So
18 it's say, okay, if we can't get in touch with Bob
19 Smith, we didn't make contact with them, we're
20 already in default. If we cancel it out, it's
21 damned if you do, damned if you don't, per the
22 federal regulations.

23 LEGISLATOR SOLAGES: But the failure to
24 meet these deadlines occurred after 2011.

25 DEPUTY COUNTY EXECUTIVE SULLIVAN: I'm

sorry?

LEGISLATOR SOLAGES: The failure to meet these deadlines occurred after 2011.

COMMISSIONER IMHOFF: It was a continuation of the five-year period of still not being in compliance. They had asked us to be in compliance from the first suit in 2010; we were not in compliance within one year so they then filed the motion of contempt in the following year. That's my understanding of it.

LEGISLATOR SOLAGES: I understand.

We had a number of reductions in this office. Have we lost positions that could make the county revenue?

DEPUTY COUNTY EXECUTIVE SULLIVAN: We don't generate revenue. We get reimbursed for expenses. Right now, well, most of our expenses -- most of the revenue reimbursement that we receive is caseload driven. So a revenue will decline appropriately with the caseload. As the Commissioner had mentioned, TANF is going down, we're going to realize less revenue in the preceding year.

LEGISLATOR SOLAGES: So we lost out on

2 federal and state subsidies because of these
3 reductions.

4 DEPUTY COUNTY EXECUTIVE SULLIVAN:

5 Because our expenses are going down. Yeah, our
6 expenses go down, our revenue will go down
7 accordingly. So if you're asking whether we lost
8 out on an opportunity, no, it's caseload driven.
9 It's totally beyond our control. If people don't
10 come in for food stamps or any kind of other
11 assistance, we're not spending the money so we're
12 not going to receive the reimbursement for those
13 expenses, if that makes sense.

14 LEGISLATOR SOLAGES: Understood. I'm
15 just trying to understand the practical
16 ramifications of these backlogs and just people
17 not being able to receive the services that they
18 can. What are some of the practical
19 ramifications? If you could explain.

20 COMMISSIONER IMHOFF: Well, some of
21 the practical ramifications are, for example,
22 there are people -- if a food stamp application
23 were not to -- I'm sorry. If a food stamp
24 application were not to be completed in a timely
25 manner, a family or individual would go

1 additional days without a food supply or would
2 have to rely on a local food pantry or shelter,
3 or we have emergency packets at DSS that we've
4 accumulated for people who have not yet,
5 emergency food packages for people who haven't
6 yet had their application even submitted
7 sometimes, but not completed on time.

9 LEGISLATOR SOLAGES: Has an analysis
10 been done of the impact on these reductions on
11 processing times for public benefit applications?
12 Has an analysis been done?

13 COMMISSIONER IMHOFF: I'm not clear.
14 Can you clarify your question, sir?

15 LEGISLATOR SOLAGES: Has an analysis
16 been done of the impact of these reductions on
17 processing times for public benefit applications?

18 COMMISSIONER IMHOFF: The reductions
19 in staffing? No, to my knowledge there has not
20 been.

21 LEGISLATOR SOLAGES: Thank you very
22 much.

23 CHAIRWOMAN GONSALVES: Legislator
24 Troiano.

25 LEGISLATOR TROIANO: Thank you.

1 I just want to go back over this lawsuit,
2 the stipulation, and the suggestion that this all
3 relates to a bad period in 2008 and maybe even
4 2009. It's my belief, and you can straighten me
5 out if I'm wrong, I could well be wrong, that the
6 stipulation you entered into relates to failure
7 to comply in 2010, and that you entered into a
8 stipulation in March 2011 and because you didn't
9 comply with what -- the stipulation you agreed
10 to, is when the special master was appointed.

11
12 COMMISSIONER IMHOFF: That's not my
13 understanding, sir. I believe that the
14 stipulation was a cumulative result -- a result
15 of the cumulative caseload at DSS over the prior
16 years. It began actually with numbers in late
17 2008 and '09, especially heavy because that's
18 when the economy tanked out, people lost their
19 jobs, and we were, at that time, faced with very,
20 very heavy increases in caseload. And Nassau, as
21 well as many other counties, were unable to meet
22 processing deadlines. So we began to hear from
23 Empire Justice in 2009. There were meetings in
24 the mid-2009, reviewing our data and statics.
25 And we were notified by the end of 2009 that a

2 lawsuit would be filed against the county for
3 non-compliance. That non-compliance continued
4 for the following year, and then the contempt
5 order was issued for that purpose; that we had
6 not met the compliance guidelines within the year
7 that we were supposed to. We had not yet reached
8 that point. That's my understanding of it. It's
9 not like an isolated -- I'm sorry.

10 The motion, the second motion, in my
11 understanding, was not for an isolated period
12 only of 2010 to 2011, it was the accumulation
13 over --

14 LEGISLATOR TROIANO: Can I just point
15 out to you that the stipulation only relates to
16 cases that occurred since March 24, 2010.

17 COMMISSIONER IMHOFF: As I said, we
18 continued to not be in compliance because we were
19 handling tens of thousands of other cases as
20 well.

21 LEGISLATOR TROIANO: Okay. So you were
22 not in compliance in 2010.

23 COMMISSIONER IMHOFF: We're still not
24 in compliance.

25 LEGISLATOR TROIANO: And you're still

not in compliance.

COMMISSIONER IMHOFF: No. We are now in substantial compliance.

LEGISLATOR TROIANO: But you were not in compliance in 2010.

COMMISSIONER IMHOFF: No, we were not.

LEGISLATOR TROIANO: Okay. So this does not then just relate to the period 2008 and 2009.

COMMISSIONER IMHOFF: I believe it reflects the cumulative impact --

LEGISLATOR TROIANO: Dr. Imhoff. Dr. Imhoff.

COMMISSIONER IMHOFF: Yes.

LEGISLATOR TROIANO: I understand that it maybe cumulative. But what I'm asking you is it does relate to cases in 2010 and not just to cases in 2008 and 2009.

COMMISSIONER IMHOFF: I don't have the document in front of me to see the specific wording. I don't have it with me.

LEGISLATOR TROIANO: You're -- a special master was appointed --

COMMISSIONER IMHOFF: Correct.

LEGISLATOR TROIANO: Just in 2012.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR TROIANO: And they didn't appoint a special master because you had -- I'm sorry, 2013. They didn't appoint -- the judge did not appoint a special master because you were out of compliance in 2008 and have now come into compliance. They appointed a special master because even now, or even then, 2013, you weren't in compliance.

COMMISSIONER IMHOFF: Well, the special master was appointed, number one, because the federal court agreed to change the definition of compliance to substantial compliance. At that point, the judge decided to appoint the special master to determine -- because we had shown substantial evidence to the judge that we were in fact in substantial compliance, and she accepted that --

LEGISLATOR TROIANO: So because you were complying --

COMMISSIONER IMHOFF: Substantial compliance.

LEGISLATOR TROIANO: Because you were in compliance the judge appointed a special master

to watch over you.

COMMISSIONER IMHOFF: To continue to make sure that we sustained substantial compliance of our application timeliness, that's correct.

LEGISLATOR TROIANO: So the --

COMMISSIONER IMHOFF: I'm sorry. And the special master --

LEGISLATOR TROIANO: So you already entered into corrective actions, you find a fix, you're now in compliance, and the judge says let me appoint a special master to make sure that you continue doing --

COMMISSIONER IMHOFF: That you're continuing to maintain compliance, yes, as has happened --

LEGISLATOR TROIANO: I don't know. You said before, or you didn't say it but I'll say it, that you're not an attorney, you didn't quite understand exactly what might have happened, and maybe we can get somebody from the county attorney's office to have fought this case to come down and tell us exactly what occurred.

COMMISSIONER IMHOFF: Okay. Sure.

2 LEGISLATOR TROIANO: No, I mean now.
3 How did I know the answer would be no?

4 Mrs. Gonsalves, let me just say this.

5 CHAIRWOMAN GONSALVES: I'm going to
6 interrupt you for a minute.

7 LEGISLATOR TROIANO: I know this is a
8 bit --

9 CHAIRWOMAN GONSALVES: You're asking for
10 the county attorney to make an appearance on a
11 minute's notice, okay. I don't think it's fair to
12 do that, no more than I would want to be put on
13 notice in a minute. They would need time to go
14 back and bring back this information to us. So
15 to say that we should have one now, I think we
16 should wait till next week when we have another
17 hearing.

18 LEGISLATOR TROIANO: Okay. I'm happy to
19 wait a week. But can I just make this point?
20 We've had -- and I understand that these are a
21 bit of dog and pony shows, when you come before
22 us. But there is also a need to bring integrity
23 to this hearing. And your department - I'm not
24 saying it's your fault, Dr. Imhoff, because I
25 have great respect for you. But your department

2 is under the jurisdiction of a special master.
3 You had to pay out a quarter of a million dollars
4 in legal fees, and there's not a single mention
5 in your report about that. And so we can wait a
6 week to hear from the county attorney. But I
7 think given the gravity of that situation, it
8 would have been incumbent upon the administration
9 to bring that attorney with them.

10 Now I'm told there is no hearing next
11 week; is that accurate?

12 CHAIRWOMAN GONSALVES: The 28th. I'm
13 sorry. The 28th.

14 LEGISLATOR TROIANO: Okay. Thank you.

15 CHAIRWOMAN GONSALVES: Okay.

16 COMMISSIONER IMHOFF: As you know, the
17 legislature approved the settlement last year,
18 last January, January of this year. So the
19 settlement had been approved, voted on by a full
20 vote of the legislature it was approved. I don't
21 recall at the time that there had been any
22 questions about the integrity of the department
23 or why we were paying those funds.

24 LEGISLATOR TROIANO: No, no, no. I
25 didn't question the integrity of the department.

I was saying that this hearing process should disclose warts and wrinkles along with beauty marks, and I don't feel that that's happened when your report doesn't have a thing about having been under this jurisdiction, having a federal judge appoint a special master. There is not one mention of that here.

COMMISSIONER IMHOFF: Well, I reported in my report to the Office of Legislative Budget Review, I gave a report to them about Empire Justice. I believe it's contained --

LEGISLATOR TROIANO: That report went to who?

COMMISSIONER IMHOFF: It went to the Office of Legislative Budget Review. We gave a full --

LEGISLATOR TROIANO: To the Office of Legislative Budget Review.

COMMISSIONER IMHOFF: Independent --

LEGISLATOR TROIANO: Were you before the legislature?

COMMISSIONER IMHOFF: No. Yes, they --

LEGISLATOR TROIANO: That's my point.

You are in front of the legislature, in a public

2 setting, and it would have been nice had you
3 brought that up. Just so we make sure we didn't
4 miss the news report, because it would have been
5 easy to miss that news report. Now we have you
6 come before us in a legislative hearing and we
7 hear nothing about it. All I hear about is
8 you've done --

9 COMMISSIONER IMHOFF: I brought it up
10 in my comments.

11 LEGISLATOR TROIANO: So we have an
12 accomplishments page in your report, but we don't
13 have anything that shows weaknesses, issues,
14 problems.

15 COMMISSIONER IMHOFF: I'd be happy to
16 put together a --

17 LEGISLATOR TROIANO: You pointed out how
18 much money you saved, but nothing about, we spent
19 a quarter of a million dollars of our county
20 residents' money paying legal fees to somebody
21 else.

22 COMMISSIONER IMHOFF: I never said
23 everything's going great.

24 LEGISLATOR TROIANO: I know; you didn't
25 say that. And I know my colleague here is making

2 comments as well. I know you did not say that.
3 But there is to me an egregious omission in the
4 report to the legislature when you're under the
5 jurisdiction of a special master appointed by a
6 special judge, and you've had to pay out a
7 quarter of a million dollars in county residents'
8 fees that could have gone to aiding people.

9 COMMISSIONER IMHOFF: Let me clarify,
10 Legislator. I had been contacted by Maurice from
11 the Legislative Budget Review Office and I was
12 told that there was a report that they were
13 preparing for this legislature. I gave him a
14 full detailed report on the status of the Empire
15 Justice Lawsuit that a special master had been
16 appointed, and in that report I included the
17 statistics as of yesterday or two days ago. My
18 understanding was that you have received that
19 report because I was told by the office that it
20 would be shared with the entire legislature. If
21 you haven't received it, I'm not aware of that.
22 But I did --

23 LEGISLATOR TROIANO: I have received the
24 report and there are lots of points in the report
25 that you've brought up here today. So there is

2 paralism in that sense. But where there's the
3 omission is they reported on the fact - I'm going
4 to say it again, like a broken record - that
5 you're under the jurisdiction of a special
6 master.

7 COMMISSIONER IMHOFF: Right.

8 LEGISLATOR TROIANO: So they had good
9 things to report and you reported the same things
10 that they reported. But when it came to the bad
11 things, as they are supposed to do, you didn't
12 report that.

13 If you're coming to the legislature, it
14 would be nice to share with us everything.
15 That's not a little thing, that's a big thing.
16 No matter when - it was in 2008, 2009, 2010,
17 2011, 2012, or this year, 2013, that's a five
18 year period.

19 COMMISSIONER IMHOFF: Well, I brought
20 it up in my comments. I raised it here in the
21 meeting before. I referred to the Empire Justice
22 lawsuit. I did not include it in the -- I did
23 not include it --

24 LEGISLATOR TROIANO: You know, I will --

25 COMMISSIONER IMHOFF: Excuse me,

1
2 Legislator. I did not include it in my report to
3 you, and I can lay out a number of opportunities
4 that we still have to follow in DSS, a lot of
5 issues, and I'd be happy to present that to you
6 as well. It was not intentional. I was more
7 than prepared to address this issue with you this
8 morning.

9 So, I understand your comment. But there
10 was no intentionality in deliberately leaving
11 out. I didn't include any of the issues that
12 we're struggling with at DSS, there are many of
13 them, I did not include all of them. I wanted to
14 give you an update on how the department was
15 doing.

16 LEGISLATOR TROIANO: Thank you.

17 CHAIRWOMAN GONSALVES: Dr. Imhoff, it's
18 my understanding, and correct me if I'm right or
19 wrong, that you did confer with the Office of
20 Legislative Budget Review --

21 COMMISSIONER IMHOFF: That's correct.

22 CHAIRWOMAN GONSALVES: regarding special
23 master.

24 COMMISSIONER IMHOFF: Yes.

25 CHAIRWOMAN GONSALVES: And it's included

2 in his report on pages 23 and 24 for all of us to
3 see. We all received a copy of this report by
4 the Office of Independent Budget Review.

5 I don't know what else is needed to be
6 said, except the fact that November we will be
7 getting -- you're going to be reporting your
8 findings or Ms. Moran is going to report findings
9 back to the court by November. Is that correct?

10 COMMISSIONER IMHOFF: That's correct.

11 CHAIRWOMAN GONSALVES: And isn't it true
12 that there has been a market increase in some of
13 the services since that time? I'm going to just
14 pick out a few of them. You had SNAP increase
15 from 24 percent to 99 percent, Medicaid
16 applications from 34 to 95 percent, TANF from 30
17 to 85 percent; that's accurate?

18 COMMISSIONER IMHOFF: Yes.

19 CHAIRWOMAN GONSALVES: Okay. And this
20 is information that you shared with the Office of
21 Independent Budget Review.

22 COMMISSIONER IMHOFF: Yes.

23 CHAIRWOMAN GONSALVES: So I don't want
24 it to appear that you were trying to keep things
25 from us, because obviously it would not have been

2 part of Mr. Chalmers' report. And that's my
3 comment.

4 LEGISLATOR TROIANO: Let me be clear,
5 Dr. Imhoff, and I thought I was clear, that it is
6 -- a comment was made about a special master
7 being appointed in the Office of Legislative
8 Budget Review's, their report. You're looking
9 over at me like you've made some revelation that
10 was in that report. I've already acknowledge
11 that. My point is when you come before the
12 legislature, not before a department of a
13 legislature, but when you come up before the
14 legislature for something as serious as having
15 being under the jurisdiction of a special master,
16 that that should be reported upfront in your
17 report, and that's my point. Even though there
18 has been improvement, we are told, still the fact
19 is the special master was not appointed until
20 this year. So with all your improvement, the
21 judge saw a need to appoint a special master in
22 2013.

23 CHAIRWOMAN GONSALVES: Deputy Presiding
24 Officer Nicolello.

25 LEGISLATOR NICOLELLO: Okay. Let's go

over the numbers again, apparently they're not filtering through to some people in the legislature.

In 2008 how long did it take for an application to be processed? I'll tell you what it is. Eighty-one days.

COMMISSIONER IMHOFF: That's correct.

LEGISLATOR NICOLELLO: You gave that to us before. And currently it's 33 days.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR NICOLELLO: Now, in that time period applications have been up some 60,000.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR NICOLELLO: Right. So under the previous administration it took 81 days to complete one of these applications.

COMMISSIONER IMHOFF: In 2008, correct.

LEGISLATOR NICOLELLO: And currently it's 33 days.

COMMISSIONER IMHOFF: Correct.

LEGISLATOR NICOLELLO: Same time period. SNAP applications have risen from 24 percent, on-time SNAP applications from 24 percent to 99 percent; is that correct?

2 COMMISSIONER IMHOFF: That's correct.

3 LEGISLATOR NICOLELLO: On-time Medicaid
4 applications have risen from 34 percent to 95
5 percent; is that correct?

6 COMMISSIONER IMHOFF: I don't have the
7 percentages here.

8 LEGISLATOR NICOLELLO: It's two pages of
9 information with respect to the special master in
10 the Report of the Office of Legislative Budget
11 Review. It's on pages 23 and 24.

12 COMMISSIONER IMHOFF: Okay. Here it
13 is. Yes. I've got it.

14 LEGISLATOR NICOLELLO: Okay. Again, on-
15 time Medicaid applications have risen from 34
16 percent --

17 COMMISSIONER IMHOFF: To 95 percent.

18 LEGISLATOR NICOLELLO: On-time TANF
19 applications have risen from 30 percent to 85
20 percent; is that correct?

21 COMMISSIONER IMHOFF: That's correct,
22 Sir.

23 LEGISLATOR NICOLELLO: Okay. Now, these
24 numbers indicate there's been substantial
25 improvement over that course of time from the

2 previous administration to the current
3 administration. The problem we're having here is
4 some members of the minority want this to be
5 negative for the Mangano administration, whereas
6 it's a point in which they have actually
7 substantially improved over the previous
8 administration. Now, when they weighed it into
9 this, they probably didn't think they were going
10 to get all this information thrown back at them,
11 and they're trying to somehow make this into
12 negative. But the numbers do not lie. People
13 are getting their applications processed sooner.
14 They are getting their benefits sooner. There
15 has been substantial improvement since the Suozzi
16 years even though you've had a massive increase
17 in the numbers. So the numbers, folks, are not
18 lying.

19 LEGISLATOR TROIANO: You know, I never
20 mentioned - I'm sorry. He pointed to some
21 members of the legislature; I know he's talking
22 about me.

23 CHAIRWOMAN GONSALVES: You will be
24 recognized, Legislator Troiano.

25 LEGISLATOR TROIANO: I'm sorry. I will

1 wait for that. Sorry for violating protocol,
2 seriously.

3
4 But I just want to be clear. I never
5 mentioned a Suozzi administration or Mangano
6 administration. But I - probably in my district,
7 probably, I haven't actually checked this out,
8 but my district probably has more of your clients
9 living in the bounds of my district than any
10 other of the 19 other districts here, certainly
11 more than Mr. Nicoletto's district. And I get
12 the calls from people who spent all day in DSS
13 and still don't get service. And the reason for
14 that is because headcount does not match the
15 number of caseloads, that's the reason.

16 The fact is no matter whether there's
17 been improvement since 2008 under the Suozzi
18 administration or not, a special master was not
19 appointed until you violated your own stipulation
20 that you had agreed to in 2011. The special
21 master was appointed because you violated that
22 agreement, not because of what happened in 2008.
23 And that's the point that some members of the
24 majority don't seem to understand.

25 CHAIRWOMAN GONSALVES: Legislator

Jacobs, you have been very patient.

LEGISLATOR JACOBS: I sometimes like to bring it down to the even level and try to leave politics out of it. I think the main point that people are trying to make is when something occurs within a department, regardless of what years we're responsible for it or what happened since, that is of such magnitude, that it would be helpful to have it said in the report from the department rather than depend on OLBR, which is excellent, to be the source of finding out about it. I'm trying to stay away from one side, the other side. I'm just trying to say that I think the main point here is we shouldn't depend on an OLBR report to bring to the forefront the master being chosen. It should have been probably part of your department, as well as any other department, including the legislature, what we do. If we have something, we shouldn't wait for OLBR to be the one who says it.

CHAIRWOMAN GONSALVES: Thank you, Legislator Jacobs.

Legislator Ford.

LEGISLATOR FORD: Thank you, Legislator

2 Jacobs, that was very well said and I agree with
3 you. I think it would be nice, so that we could
4 avoid all of this at these hearings.

5 Going back even, Legislator Troiano
6 brings up - because I have a number of my
7 residents that also seek services and they come
8 to Charles Lindbergh Boulevard for help. And we
9 understand -- and it is, it's very, very hard
10 when people do go down and they're not seeing the
11 first time that they do approach, you know, for
12 social services.

13 Is there, like, do you give a time limit
14 for each case worker to spend with an applicant
15 or is it depending upon the needs of the actual
16 applicant and the amount of time they would sit
17 with a case worker?

18 COMMISSIONER IMHOFF: First of all,
19 I'm not familiar with case upon case of people
20 who come to DSS and are not seen during the day.
21 If there is a case like that, I really want to
22 know about it. I rarely, if ever, get a
23 complaint that someone came and was not seen at
24 all. They may not have all of their paperwork
25 processed or the case completed, but they are

2 generally seen the day that they come to DSS.

3 We don't have a timeframe because some
4 applications are more difficult or complex than
5 others and maybe families rather than an
6 individual, there may be additional information
7 that has to be requested. I don't have a
8 timeline specifically for the case worker.

9 LEGISLATOR FORD: So it might happen
10 that you could have 30 people come down that day
11 and ten of them may require two hours of a
12 caseworkers' time. Basically, I'm just
13 surmising, because some people could come in and
14 other people are, you know, they may have more
15 difficulty, they may have a large family, they
16 may have complicated services. You don't want to
17 seem to give them a rush, you know, to rush them
18 out of there, to say now I have to see the next
19 person.

20 When you talked about that bar code or
21 something that they scan, is this something that
22 if I'm down there and I'm seeking and I've gotten
23 there at 9:00 a.m. and it's 12:00 p.m., and I'm,
24 like, thinking to myself what time are they going
25 to see me? Is that what's going to tell them?

COMMISSIONER IMHOFF: Yes.

LEGISLATOR FORD: Basically, their number in the queue?

COMMISSIONER IMHOFF: Yes.

LEGISLATOR FORD: So they may know that if they have an appointment at 3:00 p.m., they have to be somewhere else, they may know that they may not be seen by 3:00 p.m. so that they can actually leave by 2:00 and just come back another day.

COMMISSIONER IMHOFF: They can do that if they wish to do so. But generally we will tell them how much time more they have to wait while they're in the lobby.

LEGISLATOR FORD: So, like, Legislator Nicoletto said, at least -- and I do -- as you know, I'm a little uncomfortable with the lower number of employees that we have in social services. I think all of those people there do a phenomenal job and it's a very difficult job. Sometimes we don't recognize them for the work that they do because on a daily basis they are meeting with people who have sad stories, difficult lives, very few happy people come into

social services because - it's very, very difficult. It's very, very difficult.

But despite the lower employees, the increase in the number of cases that you have, you find that you are processing more and you are in compliance to this day, correct?

COMMISSIONER IMHOFF: We are in substantial compliance with the requirements in our judgment. Absolutely.

LEGISLATOR FORD: So since 2008 you found that you've been improving the processes, even though it took a while, when you first found out after three years that you weren't in compliance. It took a while to, like, find that magic mix.

COMMISSIONER IMHOFF: The right mix. It takes time, adjustment, and readjustment as the numbers continue to increase. It does take time.

LEGISLATOR FORD: And I know that when we look at the monitor overlooking you, and I know it is pro bono, I think that in a way, even for you, for the job that you're doing, sometimes it can be a plus because that person will see

1 that you are in compliance and it actually is for
2 the protection of the people who do receive the
3 services, so that they know that you are
4 continuously doing a good job, then we know that
5 their services are being met.
6

7 COMMISSIONER IMHOFF: I agree.

8 LEGISLATOR FORD: Thank you.

9 DEPUTY COUNTY EXECUTIVE SULLIVAN: One
10 of the comments, Legislator, I mean, I know we've
11 been, you know, spoke a little bit about staffing
12 and things like that and head count.

13 One of the things to note, and my
14 colleague, Mr. Roach here, just reminded me. We
15 have the general fund, that's what we're
16 discussing here, as opposed to the grant fund.
17 In the grant fund, the head count in the grant
18 fund, that funds 100 percent grant funded,
19 Medicaid folks, some food stamp, we have
20 employment people in there. That increased from
21 98 to 150. When we look at the staffing, our
22 general headcount might have declined, what
23 increased, not totally one offsetting the other,
24 but to a good amount the grant fund filled that
25 void.

2 LEGISLATOR FORD: Okay. So one may
3 balance off the other one. So we had a loss
4 here, you may not have had the same amount of a
5 gain but you did have a gain of employees over
6 there.

7 DEPUTY COUNTY EXECUTIVE SULLIVAN:
8 Absolutely. By 52 heads.

9 LEGISLATOR FORD: Okay. I thank you
10 very much.

11 DEPUTY COUNTY EXECUTIVE SULLIVAN: Thank
12 you.

13 CHAIRWOMAN GONSALVES: There being no
14 other questions. I'm sorry. I forgot.

15 LEGISLATOR ABRAHAMS: It's not even a
16 question.

17 CHAIRWOMAN GONSALVES: Minority Leader
18 Abrahams.

19 LEGISLATOR ABRAHAMS: I just wanted to
20 take this opportunity, because I know we're not
21 going to have the opportunity in the next couple
22 of weeks, until the 28th, but I wanted to thank
23 Maurice Chalmers and the Office of Legislative
24 Budget Review for processing these reviews and
25 these reports in a timely manner. I know you

2 were under the crunch, Maurice, and it's
3 definitely appreciated that you were able to get
4 this to us before the hearing today. Thank you.
5 And to your staff, of course, thank you.

6 CHAIRWOMAN GONSALVES: Thank you,
7 Minority Leader Abrahams.

8 Dr. Imhoff, thank you for your
9 presentation.

10 Go ahead. Legislator Becker.

11 LEGISLATOR BECKER: Commissioner, first
12 of all, I want to thank you for your report
13 today.

14 I would say that of all the jobs in the
15 county that you have the toughest and your
16 department does the most important work, probably
17 just about -- maybe second only to our police
18 department protecting us each and every day.

19 I appreciate the comments of my
20 colleague, Legislator Troiano, but I think that
21 he was being a little partisan. It was okay for
22 him to say it once, but for him to consistently
23 repeat something that was in the papers and
24 available to everyone not only prior to this
25 hearing but anybody who was interested in finding

2 out greater details - I think he was being a
3 little bit partisan in that regard.

4 CHAIRWOMAN GONSALVES: End this on a
5 high note.

6 LEGISLATOR BECKER: I want to compliment
7 you too, also, because you, as has been repeated
8 often, I thought I was special when I would email
9 you or call you, when you would help me out. But
10 I find out that I'm not because you do that to
11 every legislator and everybody who calls your
12 office, which you would expect.

13 The thing that's most impressive to me,
14 we all can make mistakes. We see the Giants are
15 0 and 6 right now, and we don't know if they're
16 ever going to win a game. But it's one thing at
17 this particular point to have a problem and then
18 to address that problem and then be successful in
19 addressing that problem and bringing everything
20 back up to where it should be.

21 You know something? You are the safety
22 net of Nassau County. I, personally, think that
23 you do an absolutely amazing job. I, personally,
24 have seen the people you help. Your job also, in
25 my opinion, is mindboggling in the sense that

2 with all the various, different departments you
3 have to coordinate with to bring these services
4 to the people most in need. As my colleague,
5 Legislator Nicoletto, said and it was reported,
6 because of the terrible recession that we've been
7 involved - and I don't want to say who caused
8 that - the amount of people has doubled as far as
9 the need is concerned.

10 I love getting a rise out of my
11 colleagues on the other side of the aisle. It's
12 very easy. Anyway.

13 I just want to compliment you for the
14 amazing job that you do.

15 COMMISSIONER IMHOFF: Thank you.

16 LEGISLATOR BECKER: Whether the people
17 you help are my district or not, I personally
18 appreciate it. I just wish that you continue to
19 do a good job. Thank you so much.

20 COMMISSIONER IMHOFF: Thank you. I
21 accept that for all of the employees of social
22 services. Thank you.

23 CHAIRWOMAN GONSALVES: Dr. Imhoff, thank
24 you for your presentation. Job well done.

25 COMMISSIONER IMHOFF: Thank you. Thank

2 you very much.

3 CHAIRWOMAN GONSALVES: And your staff
4 members.

5 I know that Mr. Broderick always comes
6 and reports on behalf of Social Services, so I
7 thank you. Enjoy the rest of the afternoon.

8 COMMISSIONER IMHOFF: Thank you.

9 CHAIRWOMAN GONSALVES: I was going to
10 take a ten minute recess but I was told please
11 don't. So I'm not going to take a ten minute
12 recess. See, I am accommodating.

13 Now, we have Lisa Murphy. Are you ready,
14 Lisa? Lisa Murphy from the Department of Human
15 Services. You have with you?

16 COMMISSIONER MURPHY: I have with me
17 Mr. Brian Hall. He is my Director of Financial
18 Management.

19 CHAIRWOMAN GONSALVES: Welcome.

20 COMMISSIONER MURPHY: A brief overview
21 of my department, as it has already been so
22 stated by you, Madam Chairwoman.

23 The Department of Human Services was a
24 consolidated department which was formed in 2010.
25 It consists of four offices: The Offices of

2 Youth Services, the Office of Mental Health,
3 Chemical Dependency and Developmental Disability
4 Services, the Office for the Physically
5 Challenged, and the Office for the Aging.

6 Our Department provides multiple services
7 to all the populations of Nassau County. The
8 Office for the Aging takes care of home delivered
9 meals, as well as congregate meals, social day
10 programs for our aging community, and looks
11 toward helping the in excess of 290,000 seniors
12 in Nassau County through our New York Connects
13 Information Assistance Line, which is also
14 recognized by the federal government as the Aging
15 and Disability Resource Center.

16 Our Department - our Office, rather, for
17 the Physically Challenged primarily issues all
18 parking permits in Nassau County. There are
19 several - when I say parking permits, I'm sorry -
20 for the physically challenged parking permits.
21 There are several other jurisdictions within the
22 county, some of the smaller villages and cities
23 also issue those types of permits -- but we are
24 the primary person who holds that responsibility
25 -- as well as advocating on behalf of the

1 physically challenged in Nassau County, and
2 helping, again, with the games for the disabled
3 which are held now yearly in June.

4
5 Our Office of Mental Health, Chemical
6 Dependency, and Developmental Disability Services
7 operates the methadone clinic, which is located
8 on the grounds of Nassau Community Hospital, and
9 serves and can serve up to 650 methadone or
10 opiate treatment individuals on a daily basis,
11 seven days a week, 365 days a year. We also
12 oversee many of the chemical dependency programs
13 throughout the County which are contracted out to
14 various agencies through our provider network.
15 We also oversee the Office of Mental Health,
16 which is part of that, and actually oversees the
17 mental health court and works in conjunction with
18 the psychiatric unit at Nassau Community Medical
19 Center. We are also -- this particular office is
20 also a partner in the health home with North
21 Shore LIJ and also with Nassau Medical Center.

22 Those are the primary responsibilities of
23 those two offices. There is also the office --
24 within that office there is also the section for
25 disability, developmental disability services,

2 and there we primarily fund recreational programs
3 for those individuals that have developmental
4 disabilities. It's primarily a summer camp
5 program which we fund. We are primarily a
6 contract agency - do primarily contract agencies
7 for all aspects.

8 The last part, of course, is our Office
9 of Youth Services, which, again also -- through
10 the Office of Youth Services, we are the primary
11 fiscal agent for all of the majorly funded youth
12 programs in Nassau County. And we do have a
13 population in Nassau County in excess of 360,000
14 youth, youth being under the age of 21. We do
15 multiple services through our provider network,
16 everything from counseling, job development to
17 after-school programs and parenting programs, as
18 well.

19 That's just a brief overview of what the
20 Department of Human Services does do.

21 CHAIRWOMAN GONSALVES: Any questions of
22 Ms. Murphy?

23 LEGISLATOR ABRAHAMS: How are you, Ms.
24 Murphy?

25 COMMISSIONER MURPHY: Very good.

Yourself?

LEGISLATOR ABRAHAMS: Good. I just have a couple of quick questions. Some time ago there was discussion of an RFP going out for the Roosevelt community for youth services which, to my knowledge, there are no services provided in that area. What's the status of that RFP?

COMMISSIONER MURPHY: First off, there are services in Roosevelt that I do know of which you are talking, because we do fund a program through EOC in Roosevelt for youth services. However, we did have and we do have money in the 2014 budget for an appropriate program to be funded in Roosevelt. We did discuss at length with several providers the possibility of bringing in a program to Roosevelt. And we are continually looking to see when we can find a fiscally responsible agency to provide those services, we will, in fact, be able to do so. Money is in the budget though for a program in Roosevelt.

LEGISLATOR ABRAHAMS: For 2014.

COMMISSIONER MURPHY: Yes, it is.

LEGISLATOR ABRAHAMS: So when can we

anticipate an RFP going out for these services?
Because I don't want to get to the point where
we're in June of next year.

COMMISSIONER MURPHY: I do understand
where you are coming from on this particular
issue. If you would like, we can sit down
together, perhaps with your office, and even look
to see if we can find some potential providers
for that community.

LEGISLATOR ABRAHAMS: Let's do that.

COMMISSIONER MURPHY: Okay.

LEGISLATOR ABRAHAMS: That's a good
idea. I would suggest that.

COMMISSIONER MURPHY: All right.

LEGISLATOR ABRAHAMS: And it's in --
what part of the budget, it's in the youth board
budget DE line I'm guessing?

COMMISSIONER MURPHY: Yes, it is.

LEGISLATOR ABRAHAMS: Okay.

The next line of questioning is tied into
the youth board staff that was let go I guess
some time ago but never was brought back when the
legislature reached an agreement for bonding for
assessments or tax grievances, tax certioraris.

2 How has it been your ability to still
3 monitor the youth board agencies but at the same
4 time having less resources to monitor exactly
5 what they're doing? The reason why I bring up
6 this question is because obviously there's no
7 secret that more and more youth are being
8 subjected to drugs in their communities, heroin
9 in their communities. In my legislative district
10 there are more youth dying on the streets.
11 During the last 60 days there have been dozens of
12 shootings that have happened, some resulted in
13 death. It just seems to me that the youth board
14 has to be able to adapt to make sure that the
15 youth board agencies are providing the service
16 that's concurrent with the changing times. We
17 have agencies that are changing the way they do
18 business so what they are changing with the way
19 the times are changing and continuing to make our
20 youth safe. So know the youth board staff was
21 let go some time ago but never brought back. How
22 has it been -- how have you been dealing or how
23 has the youth board been dealing with being able
24 to manage the entire process with that lack of
25 resources and staff?

COMMISSIONER MURPHY: Well, we have had multiple discussions with the state. And I have, actually last week, just been on the telephone with the OCFS Director of Youth Development, Mr. Matthew Beck. We did, with their help, be able to help realign our department, it was part of the consolidated efforts. And one of the things that we had really brought into play was getting some of those people from our other offices, particularly those people who are involved with mental health and chemical dependency, because you will not that there is definitely an overlap there to begin to help us, in terms of realigning that.

I would just also like to note that at one time in the county many of our services were direct services. Over time this has evolved so that most of our services now are actually provided through, as you do know, contracts with outside provider agencies. As a result, we did have many people within Civil Service and government structure that no longer needed to do the same work that they originally had been doing, and we are repurposing them to do this

type of work now.

LEGISLATOR ABRAHAMS: So how many people are dedicated towards supervising the youth board agencies?

COMMISSIONER MURPHY: At this time I have two people in the field and I also have two people doing fiscal responsibilities for youth.

LEGISLATOR ABRAHAMS: How does that compare to the past?

COMMISSIONER MURPHY: Well, it compared to the past, we used to have about four people doing the monitoring of those same programs, so it's about half. However, I will note that through the Long Island - it's the Hagedorn Foundation primarily, though - they issued an analysis of the youth programs and our monitoring of it. I have to note that CRF came down, they did a major look at it, and they actually said that we were way over the top in terms of what we were doing in terms of the monitoring. We are still requiring that people who we fund with county dollars and state dollars subject their reports. We are in contact with them. We are reading them, and they are all being assessed

2 annually.

3 LEGISLATOR ABRAHAMS: I'll just close
4 with this, Mrs. Murphy. I look forward to being
5 able to talk to you in the future. As I said
6 before -- and I know that the newspapers and the
7 media at times glorify the negativity that goes
8 on in many communities. To me, there just seems
9 to be a disconnect with the services that are
10 being provided versus the way we're combating
11 those services - I mean combating those results.

12 In the Roosevelt, Uniondale, Hempstead
13 area there just seems to be more shooting, more
14 gang violence, more youth violence than there's
15 ever been before. It just seems like we're doing
16 methodically the same steps. We're saving as
17 many kids as possible, but there just seem to be
18 more and more shootings. I know in other
19 communities there's a heroin epidemic, which it
20 just seems like, I mean, it sounds like we're
21 doing the right things to be able to save as many
22 young people and young children as possible. It
23 just seems to me that I think I need to get a
24 stronger grasp, and hopefully I can do that with
25 you, in terms of how we're evaluating each

2 agency, making sure we have the right amount of
3 financial resources behind each agency so they
4 can do their jobs properly, and then if we need
5 to bump it up a little bit, maybe we need to talk
6 about that. Because from our standpoint, when I
7 talk to constituents throughout the county, they
8 are constantly asking me about the escalating
9 youth violence and escalating youth drug youth in
10 our communities.

11 COMMISSIONER MURPHY: Duly noted. And I
12 look forward to the opportunity to spend time
13 with you to see if we can get a better handle on
14 some of these things. I would like to note
15 though that I do work with our Office of
16 Probation, with John Fowle, in terms of some of
17 our juvenile justice reform initiatives that have
18 been meeting with some success and our adolescent
19 diversion court. But that's only one side of it.
20 I just look forward to the opportunity to sit
21 down with you and try to help some of these
22 problems.

23 CHAIRWOMAN GONSALVES: Legislator Ford.

24 LEGISLATOR FORD: Thank you very much,
25 Commissioner Murphy, for your testimony, and as

2 well as for doing such a wonderful job.

3 I think to a certain degree I echo some
4 of the concerns Legislator Abrahams has, only
5 because, you know, with the youth board. We know
6 that there used to be about nine employees that
7 specifically worked there and now we're basically
8 down to one or two. I think one of the issues I
9 have would be is there a dedicated grant writer
10 that will work with, you know, the youth board to
11 make sure that we get as much money as we can
12 from both New York State and the federal
13 government in the way of grants.

14 COMMISSIONER MURPHY: Okay. There is
15 not a dedicated grant writer for youth services.
16 However, Ms. Trista Brail (phonetic), who is part
17 of our planning division under Brian, has taken
18 on the responsibility of looking at grants for
19 us, to both help the agencies in the provider
20 network as well as the county, in terms of
21 maximizing resources. I am pleased to tell you
22 that she has done some very good work in a very
23 short period of time and has begun to identify
24 other opportunities for us.

25 LEGISLATOR FORD: I'm happy to hear

2 that.

3 In regards to -- and I know that -- I
4 feel like I'm just flogging a horse here. In
5 regard to Civil Service, you know, one of the
6 issues we had with those employees is that they
7 were not covered under CSEA --

8 COMMISSIONER MURPHY: Correct.

9 LEGISLATOR FORD: That they were
10 contract employees and unfortunately they had to
11 go. How is that we can -- what can I do to try
12 to get Civil Service to at least acknowledge some
13 of those positions so that we can be insured of
14 the fact that we do have employees? I'm sure
15 that there may be somebody or some people who
16 would like to come in the county, work in that
17 area knowing that they can move up, you know, in
18 salary, in job titles, stuff like that. How do
19 we get from contract to no employees to at least
20 one or two dedicated Civil Service employees?

21 COMMISSIONER MURPHY: I have met with
22 Mr. Camp in the last, I'm going to say, three
23 months. I have also met with the administration.
24 Together, actually there is a little bit of
25 funding in this current budget for 2014. We are

1 hopeful that in the next month or two we will be
2 able to hire an employee in that regard. It's a
3 beginning.
4

5 LEGISLATOR FORD: Everything has to have
6 a beginning.

7 And even in regard to, like, when you see
8 the increase, I guess, and it might just be also
9 because of society today, it's a lot of crazy
10 stuff going out there. With the increase, of
11 course, with drug youth, killings, and stuff like
12 that, maybe what we need to do, Kevan, is maybe
13 to have some sort of a forum so that we can hear
14 from our youth agencies or maybe from a lot of
15 these young people to try to come to grip. We do
16 have a lot of our agencies still out there
17 working with these young people. It just seems -
18 I don't think it's the agencies themselves. I
19 think it just happens to be there's a malaise, I
20 don't know what it is, that is permeating
21 throughout our society, and especially for our
22 young people. I know that with the Long Island
23 Crisis Center they do a phenomenal job with
24 suicide prevention, and yet this year just alone
25 we had three suicides of young people in my

2 neighborhood. It's really scary that these
3 things are going on. I don't think it really is
4 the agencies. I think they're doing the best
5 that they can. But maybe we need to try to come
6 to a better understanding of whether or not
7 people are not seeking the services, are not
8 seeking the help, and, if so, why not.

9 COMMISSIONER MURPHY: I think that this
10 is also part of the rationale for my current
11 department becoming a consolidated one. When we
12 look at whether it's an elderly population or a
13 young population, generally when you're talking
14 about people who are in trouble, who are in
15 crisis, there is usually some other underlying
16 issue, whether it's family violence, domestic
17 violence, mental health problem, or chemical
18 dependency issue, and I think the best way to
19 address it is really a holistic comprehensive
20 approach.

21 LEGISLATOR FORD: Okay. Thank you very
22 much.

23 COMMISSIONER MURPHY: Thank you.

24 CHAIRWOMAN GONSALVES: Legislator
25 Bosworth.

LEGISLATOR BOSWORTH: Thank you. Good morning.

COMMISSIONER MURPHY: Good morning.

LEGISLATOR BOSWORTH: Actually, it's afternoon.

COMMISSIONER MURPHY: Afternoon, yes.

LEGISLATOR BOSWORTH: It's been a long day.

When we talked about the youth board and the idea of the people who had worked there, who had worked there for so many years and the fact that they were contract workers, one of the issues that had been brought up is that you did have people who were so invested in the agencies that they worked with and in the communities that they worked in. One of the concerns that was raised was the fact that if we go to just taking other people who could do it, that we would lose that sense of involvement and that sense of continuity. And I'm sure you're doing everything you can to make sure that's not happening, but it still is a concern for me as I'm hearing the discussion that's ensuing. What can we do to try to recoup that history? People who were so

1 invested in the communities, in the agencies that
2 they oversaw, that they worked with, I'm just
3 concerned that that was lost and we haven't
4 really gotten that back.
5

6 COMMISSIONER MURPHY: I do understand
7 and I share some of your concerns. I would be
8 really remiss and negligent to say that I didn't
9 see that as a potential problem. However, we are
10 trying to address it as best we can. Again, I go
11 back to the fact that we are a consolidated
12 department now and many of the same provider
13 agencies and the same network is in place for
14 other parts of the department, particularly in
15 the mental health and also the chemical
16 dependency components. And I would just throw
17 out, one of them would be, like, YES Counseling.
18 YES provides both chemical dependency counseling
19 type services and also has a youth program. So
20 when we talk to Jamie, it may not be the same
21 person coming from the youth aspect that is
22 dealing with Jamie, now it's going to be somebody
23 from the aspect of chemical dependency but who
24 has been invested in that community for quite
25 some time and worked with that agency. So

2 wherever possible we are doing that type of
3 thing.

4 CHAIRWOMAN GONSALVES: Legislator
5 DeRiggi-Whitton.

6 LEGISLATOR DeRIGGI-WHITTON: Thank you,
7 Madam Chair. I just want to go over a couple of
8 details from the OLBR report just to get an idea.
9 Maybe we could start with the Long Beach Martin
10 Luther King Center. I see that was a \$75,000
11 budget and it's cut down to zero. Do you know
12 what happened there?

13 COMMISSIONER MURPHY: Yes, I do. The
14 Long Beach Martin Luther King Center was under
15 fiscal review back in 2012 because at that time
16 they did not have an executive director and they
17 were having tremendous fiscal problems including,
18 not limited to, the Department of Labor calling
19 us because they were not making their payroll, at
20 which time we said to them that we could no
21 longer continue to fund them if they did not get
22 their house in order. So rather than fund them
23 for an entire year in 2012, we brought them in,
24 spoke with them, spoke with to their board, told
25 them that they needed board development, that

1 they also needed to have an executive director,
2 and that it would be really -- that we would not
3 be able to fund them. It would be wrong to
4 continue to give them money unless they would be
5 able to live up to these responsibilities. So we
6 issued them, rather than a one year contract, a
7 six month contract. So that is why it was funded
8 at that particular level. At one time they would
9 have been receiving twice that amount of money.
10

11 We gave them three months to begin to see
12 improvement. Unfortunately, they did not supply
13 us with anything in writing for several months.
14 Then, of course, as everyone knows, June came
15 around in 2012 and we were under an order by the
16 court that was going to attach to our general
17 fund, at which point all discretionary - and
18 youth services is considered discretionary
19 because it's not mandated -

20 LEGISLATOR DeRIGGI-WHITTON: That's
21 besides the point.

22 LEGISLATOR MUSCARELLA: Well, as you do
23 know, they were cut at that point.

24 When we reinstated contracts, money for
25 those contracts, MLK did not have a contract, did

not have an executive director, and unfortunately was not in a position to be able to receive money or to run a program.

LEGISLATOR DeRIGGI-WHITTON: Do you have a copy of that order that was issued? I wasn't aware of any order.

COMMISSIONER MURPHY: Maybe I've misspoken then.

LEGISLATOR DeRIGGI-WHITTON: Yeah. There was never any order. What did they do? What did they provide?

COMMISSIONER MURPHY: They provided multiple types of services. They had an after-school program.

CHAIRWOMAN GONSALVES: Hold on.

LEGISLATOR FORD: Excuse me. I normally am not this impolite.

LEGISLATOR DeRIGGI-WHITTON: You can't interrupt me. Let me just finish talking.

LEGISLATOR FORD: No.

CHAIRWOMAN GONSALVES: Delia, it's related.

LEGISLATOR DeRIGGI-WHITTON: But you can't interrupt me. Wait until I'm finished.

2 LEGISLATOR FORD: First of all --

3 LEGISLATOR DeRIGGI-WHITTON: Can't you
4 just let me finish?

5 LEGISLATOR FORD: No. Because you want
6 to know what happened.

7 LEGISLATOR DeRIGGI-WHITTON: But I'm
8 asking the woman who is here representing the
9 right --

10 LEGISLATOR FORD: Which happens to be an
11 agency in my district.

12 LEGISLATOR DeRIGGI-WHITTON: I know.
13 When I'm done, there's a couple of other ones
14 that are also in other districts. But I just
15 would like to get --

16 LEGISLATOR FORD: I would ask
17 Commissioner Murphy, based on the fact --

18 LEGISLATOR DeRIGGI-WHITTON: Denise,
19 that's really rude. I would never do that to
20 you.

21 CHAIRWOMAN GONSALVES: Okay.

22 COMMISSIONER MURPHY: Anyway, they did -

23 -

24 CHAIRWOMAN GONSALVES: If you have a
25 question, I'll answer it. How's that?

LEGISLATOR DeRIGGI-WHITTON: Just finish answering my question.

COMMISSIONER MURPHY: I don't have a problem. They did run an after-school program, as well as we funded a summer camp program for them.

LEGISLATOR DeRIGGI-WHITTON: And they are completely closed at this point?

COMMISSIONER MURPHY: We are not funding them. We were not funding them. We are funding them actually right now.

LEGISLATOR DeRIGGI-WHITTON: Why isn't it in the budget?

COMMISSIONER MURPHY: Because at the time that my budget was submitted we were not funding them.

LEGISLATOR DeRIGGI-WHITTON: How much are we going to be funding them?

COMMISSIONER MURPHY: We are currently funding them - it's going to be approximately \$150,000 for the year.

LEGISLATOR DeRIGGI-WHITTON: Where is that money going to be coming from if it's not in the budget here?

COMMISSIONER MURPHY: There is money in the budget here. It is just coming out of the RFP line.

LEGISLATOR DeRIGGI-WHITTON: Can you provide that? I would like to have, I'm sure Denise would too, we just would like to have that in writing.

COMMISSIONER MURPHY: Denise is aware of it. We've met actually with --

LEGISLATOR DeRIGGI-WHITTON: So out of the RFP line, which -- that was another question that I had with the 405. What is that going to be allocated to?

COMMISSIONER MURPHY: The rest of it will be allocated to other sources of funding that need to be funded in youth programs, such as Roosevelt and also Levittown. Those are two areas that require funding.

LEGISLATOR DeRIGGI-WHITTON: So we have a guarantee that the Long Beach Martin Luther King will be receiving \$150,000?

COMMISSIONER MURPHY: Yes, you do.

LEGISLATOR DeRIGGI-WHITTON: Okay.
Moving on then.

2 The Mental Health Promotion and Research
3 Center used to be funded at \$100,000.

4 COMMISSIONER MURPHY: Yes.

5 LEGISLATOR DeRIGGI-WHITTON: And it's
6 down to zero.

7 COMMISSIONER MURPHY: Correct.

8 LEGISLATOR DeRIGGI-WHITTON: Why is
9 that?

10 COMMISSIONER MURPHY: Well, the Mental
11 Health Research Program was actually one that was
12 run in-house and it has now, instead become the
13 ARC, which is our -- I'm sorry -- Assistance and
14 Resource Center, which is now grant funded 100
15 percent by New York State. We are hoping to seek
16 licensure to have a fully operating mental health
17 clinic on the first floor of 60 Charles
18 Lindbergh. So that is actually a project that
19 has been underway now for the last year and a
20 half, and we are getting very close to being able
21 to have OMH come down. That will be a tremendous
22 asset for this county, especially for those
23 individuals who come in for social services and
24 they will be able to then also be able to use the
25 health facilities there.

LEGISLATOR DeRIGGI-WHITTON: When do you expect that to take place?

COMMISSIONER MURPHY: We are building it out right now. You are more than welcome to come to 60 Charles to see the location. We are hopefully to have it done by year's end.

LEGISLATOR DeRIGGI-WHITTON: So there will be a gap for this year then?

COMMISSIONER MURPHY: No. We are running the program right now with our staff. We do not need to be using our county money; the state instead is taking up that expense for us.

LEGISLATOR DeRIGGI-WHITTON: So there won't be any change in service.

COMMISSIONER MURPHY: No. It will be an increase in service, probably quadrupled.

LEGISLATOR DeRIGGI-WHITTON: Good.

Now, the court remanded family court --

COMMISSIONER MURPHY: Yes.

LEGISLATOR DeRIGGI-WHITTON: Does this have to do with state aid? I see there's a difference.

COMMISSIONER MURPHY: We have looked at and we went over the records for the last five

2 years and traditionally there had been money left
3 on the table that was not necessary, so we
4 brought that down. We still left a little bit of
5 a cushion just in the event that we will need it.
6 We reduced it substantially because it's money
7 that just does not need to be in the budget.

8 LEGISLATOR DeRIGGI-WHITTON: So there
9 was a \$400,000 pretty much --

10 COMMISSIONER MURPHY: Excess.

11 LEGISLATOR DeRIGGI-WHITTON: last year -
12 -

13 COMMISSIONER MURPHY: Correct.

14 LEGISLATOR DeRIGGI-WHITTON: That's
15 interesting.

16 United Cerebral Palsy of Nassau County
17 that is going from 154,800 down to 84,000, a loss
18 of 70,000. Do you know why that is?

19 COMMISSIONER MURPHY: I don't. But I
20 will get you the answer.

21 LEGISLATOR DeRIGGI-WHITTON: That's a
22 pretty -- that's half. I have an agency in
23 Bayville that survives on Nassau County.

24 COMMISSIONER MURPHY: I understand. I
25 will get you the information.

2 LEGISLATOR DeRIGGI-WHITTON: Catholic
3 Charities, the transportation and services down
4 about 125,000.

5 COMMISSIONER MURPHY: Yes. Because this
6 year we funded them for additional transportation
7 in the way of buses that they were in need of,
8 and they will, of course, have those new buses
9 this year and will not need them next year.

10 LEGISLATOR DeRIGGI-WHITTON: Okay. So
11 you feel that their service is equal to what it
12 was prior?

13 COMMISSIONER MURPHY: It will be better
14 than it was prior.

15 LEGISLATOR DeRIGGI-WHITTON: Good.

16 Title 111C-1, congressional meals, is
17 this Meals on Wheels?

18 COMMISSIONER MURPHY: No. C-2 is Meals
19 on Wheels. You're looking at congregate meals?

20 LEGISLATOR DeRIGGI-WHITTON: Yes. It's
21 111C-1.

22 COMMISSIONER MURPHY: Yes. Those are
23 the meals provided in centers, our congregate
24 centers.

25 LEGISLATOR DeRIGGI-WHITTON: Would that

2 include, like, senior centers?

3 COMMISSIONER MURPHY: Yes. That's
4 exactly what it is.

5 LEGISLATOR DeRIGGI-WHITTON: Why are we
6 dropping that in half?

7 COMMISSIONER MURPHY: We are only
8 dropping one in half. We're not really dropping
9 any of them in half. They will all be fully
10 funded. What happened this year is we issued an
11 RFP for our center in North Merrick which we had
12 been operating, the county had been providing
13 direct services for. However, we, of course, do
14 not cook and provide meals, so we were using an
15 agency to provide those meals.

16 The entire program was RFP'd. Jazza
17 (phonetic) won the award. They now will be
18 taking it over. There was extra money put into
19 the 2013 budget just for those purposes. But
20 that's extra money that was put in for the
21 transition and will not be necessary next year.

22 LEGISLATOR DeRIGGI-WHITTON: Just so I
23 understand. That would include all the senior
24 centers in Nassau County or just the one in
25 Merrick?

1
2 COMMISSIONER MURPHY: That's just the
3 one in North Merrick, which serves seven
4 communities. They will actually be able to have
5 more transportation and greater volume of people
6 attending now that we've been able to RFP it out.

7 LEGISLATOR DeRIGGI-WHITTON: That's the
8 only - I see the Glen Cove one is the same. So
9 that's the only one that has been affected by
10 this or changed in any way?

11 COMMISSIONER MURPHY: Yes.

12 LEGISLATOR DeRIGGI-WHITTON: Bear with
13 me, I have one more question.

14 The juvenile detention center -

15 COMMISSIONER MURPHY: Correct.

16 LEGISLATOR DeRIGGI-WHITTON: on page 14,
17 why is that budgeted at zero?

18 COMMISSIONER MURPHY: I'm trying to
19 look. I don't see it. I don't see the juvenile
20 detention center at all.

21 LEGISLATOR DeRIGGI-WHITTON: On OLBR
22 report page 14 it's the fourth one down from the
23 top.

24 COMMISSIONER MURPHY: Probation would be
25 the one who actually takes care of the juvenile

detention center.

LEGISLATOR DeRIGGI-WHITTON: Okay.

COMMISSIONER MURPHY: We work in conjunction with them on several things, though.

CHAIRWOMAN GONSALVES: I believe, excuse me just for one minute. I believe it hasn't been in there for at least the past two or three years.

COMMISSIONER MURPHY: You're 100 percent correct. Because our department does work with probation on that, and that was taken over well over a year and a half ago.

LEGISLATOR DeRIGGI-WHITTON: I think there was four million in for 2011 and nothing for 2012.

COMMISSIONER MURPHY: That's because probation now has it. And we fund one of their programs, that was the only reason I was looking.

LEGISLATOR DeRIGGI-WHITTON: Okay. So we're going to, just to follow up, if I could just get that in writing regarding, especially the Martin Luther King, and I'd like to just have an answer with the Cerebral Palsy.

COMMISSIONER MURPHY: Absolutely.

LEGISLATOR DeRIGGI-WHITTON: Okay. If we could have that before the 28th, I would appreciate that.

COMMISSIONER MURPHY: I will get it to you by the end of the week.

LEGISLATOR DeRIGGI-WHITTON: Thanks.

COMMISSIONER MURPHY: No problem. Thank you.

CHAIRWOMAN GONSALVES: Legislator Dunne.

LEGISLATOR DUNNE: Thank you, Madam Chair.

I'm under the impression -- and we heard possibly and hopefully some good news, that myself and Legislator Joe Belesi, and with the help of then-Presiding Officer Peter Schmitt and Minority Leader Kevan Abrahams all helped in lobbying for monies for the Levittown Yours, Ours & Mine, which went out of business and YES came in.

COMMISSIONER MURPHY: Yes.

LEGISLATOR DUNNE: We lost the YOM money and YES never got it. There is rumor around and you kind of hinted toward it today in your talking that there is money for Levittown.

2 Is there truth to that?

3 COMMISSIONER MURPHY: There is. I've
4 spoken with Jamie and have asked her to actually
5 put together a budget for me.

6 LEGISLATOR DUNNE: Is that for the
7 youth or is with the drug and alcohol? YOM took
8 care of senior citizens and all sorts of many
9 projects.

10 COMMISSIONER MURPHY: We are starting
11 with the youth piece for Levittown, and then we
12 are going to be looking at our funding sources
13 for both the mental health and chemical
14 dependency pieces, as I am going to be looking
15 all of our youth agencies currently that are
16 doing work to see if they have any mental health
17 and chemical dependency components so that
18 perhaps we can draw in additional revenue and
19 maybe be able to expend supportive services
20 there.

21 LEGISLATOR DUNNE: Well, I want to
22 thank you because it's been a long road. We've
23 all been working so very hard. I want to thank
24 Kevan. I want to - Joe is not here with us right
25 now. And Peter, wherever you are, we're

successful and you did it.

Thank you so much.

COMMISSIONER MURPHY: Most welcome.

Thank you.

CHAIRWOMAN GONSALVES: Any other questions of Mrs. Murphy?

(No verbal response.)

COMMISSIONER MURPHY: Thank you.

CHAIRWOMAN GONSALVES: Thank you very much.

Now I know we're going to have public comment. And I'm waiting for Mr. Pat Boyle, who is anxiously waiting to talk to us.

MR. BOYLE: Anxiously. But always waiting to talk to you.

First of all, my name is Pat Boyle. I'm here representing Gateway Youth Outreach, as well as the Coalition of Youth Service Agencies.

Just one of the points -- just from listening, I was glad I was here to be able to listen today because I'm talking about the increase that we see sometimes in crime in certain neighborhoods and what's going on in those neighborhoods. It's really almost, you

1 know, it does seem to stand out quite a bit now,
2 but it's nothing really new.

3
4 Agencies have been working on these kinds
5 of issues for years and trying to be able to put
6 a dent in what we can with regard to what happens
7 in communities with regard to gun violence,
8 drugs, and everything else. One of the problems
9 that we have, and it's a problem that we've had
10 all along, is that we're prevention programs, and
11 it's very, very hard to measure prevention. To
12 say whether or not a child is definitely going to
13 go out and do something later on is very, very
14 tough for me to be able to tell you. I can tell
15 you that we're back up to having about 700 kids
16 in our youth programs right now again, in our
17 after-school programs again, thanks to getting
18 the money back.

19 And we're also back up to a point where
20 we're doing a lot of counseling. And I do have a
21 lot of kids who are coming in for counseling who
22 receive, I think I mentioned - I know I mentioned
23 to you before - is superintendent suspensions in
24 schools. And when they receive those suspensions
25 in the schools, a lot of them have to do with gun

1 possession, drug possession and other things, and
2 a lot of those kids come to our agency for
3 counseling. And when they come to our agency for
4 counseling, we do everything that we can to be
5 able to try to stop them from those types of
6 behaviors and have them go back out on to the
7 streets without that gun, or without those drugs,
8 or without whatever else.

10 And we're not actually an alcohol or drug
11 agency, we're not licensed to do that but we
12 still do that kind of counseling anyway because
13 it's where the problems are, where the kids are.

14 So I just want you to know that we are
15 looking at these things. There is a lot more of
16 it around, there's no doubt about it. But all of
17 our agencies are trying to do prevention on that
18 level and will keep trying to do prevention on
19 that level.

20 The reason why I was here today is
21 because I know you're sick and tired of hearing
22 me say the same thing all the time, but I have to
23 say it, I have to be on the record for it.

24 Right now we're in the budget for next
25 year. Please, please keep it that way. We

2 really can't go through another roller coaster
3 ride like the ones that we've been going on the
4 past couple of years and still be able to provide
5 the services that we want to be able to provide.
6 We want to help these kids. We want to slow down
7 the use of guns. We want to slow down the use of
8 drugs. And I know sometimes when you look at an
9 after-school program, you might not think all the
10 time that that's preventing kids from doing this.
11 But I can tell you that it is, because they're
12 not being exposed to the older brothers and
13 sister who might be in those kinds of conditions
14 and in those situations. And hopefully we are
15 making a dent in what we're doing. So, please,
16 just keep the money in the budget.

17 I'll talk to you later about more money.
18 But for now, let's keep the money in the budget.
19 Okay? Thank you very much.

20 CHAIRWOMAN GONSALVES: You're welcome,
21 Pat.

22 Legislator Solages.

23 LEGISLATOR SOLAGES: Hi, Pat. How are
24 you doing?

25 MR. BOYLE: How are you?

LEGISLATOR SOLAGES: Nice to see you, Pat. I want to thank you for all the work that you do for GYO. But I do want to bring to your attention that I have received numerous complaints from parents in the GYO program that you are allowing republican candidates to campaign amongst the children and leaving election material with them. I ask you that since you run a 501(c)(3) organization to please refrain from such activity.

Thank you.

MR. BOYLE: Let me explain to you exactly what happened, since it got brought up.

I was asked by the candidate who is running against you to come and take a tour of our programs. That's what I was asked to do. I will never, any one of you here, any one of you here or any other parents or any other person can come and take a tour of our programs.

CHAIRWOMAN GONSALVES: I already did.

LEGISLATOR SOLAGES: And they also are allowed to leave election material.

MR. BOYLE: What happened was she had pens, pencils, and rulers that said her name on

them. It didn't say vote.

LEGISLATOR SOLAGES: And you allowed that.

MR. BOYLE: I said to her if it said vote for me on it, you couldn't leave it there because I would be breaking 501(c)(3) codes. It doesn't say vote on it. It said her name on it.

LEGISLATOR SOLAGES: Please do not engage in such activity because only the children will be hurt by that.

Thank you.

MR. BOYLE: I'll stick to the laws and what the laws are. I don't want to have an argument with you about this here. The bottom line is that I'm not promoting any candidate. And I will work with the candidate who is sitting in that seat, and that's what I will do and that's what I have done up until now, when I'm able to.

LEGISLATOR SOLAGES: Are you done?

MR. BOYLE: Yes.

CHAIRWOMAN GONSALVES: Thank you, Mr. Boyle.

Mr. Bruno.

2 MR. BRUNO: Good afternoon everybody.
3 Thank you very much for putting the money back
4 into the budget. As you all know, it was an
5 incredible year not only for you guys up here,
6 but for us out in the field working with the
7 kids. We were put under a tremendous strain, but
8 we were able to survive. And we are back on
9 track doing what you all know we should be doing,
10 and you all know how important the services that
11 we provide to our young people are.

12 The cost effectiveness, as you all know,
13 is mindboggling, as to the savings that can be
14 done by keeping these programs whole. I
15 encourage you all to do all that you can to make
16 sure that the funding stays whole, as it is. I
17 applaud you all for getting it back there. And I
18 hopefully encourage you all to please keep that
19 money there, it's so important.

20 The kids that we service are our future.
21 We need to keep these kids. Pat was talking
22 about all the programs and services that we
23 offer. You are all well aware of what we do for
24 our kids. We all know that the prevention side
25 is the way to go. Once the kids get into the

1 punitive piece, it's too late. We need to get to
2 these kids before they reach that point, and we
3 are the programs that can do that, and you all
4 know that. Please, do all that you can to keep
5 us whole.
6

7 We, in youth services, have not seen an
8 increase in funding I think since 1989, not that
9 we're complaining about that. We understand the
10 situation that the county is in, and we're
11 willing to work with the county as much as we can
12 to ensure that everything keeps going the way it
13 is.

14 So, thank you all for your support over
15 the year. And, please, just do what you can to
16 keep that funding in there for us for 2014.
17 Thank you very much.

18 CHAIRWOMAN GONSALVES: Thank you, Mr.
19 Bruno.

20 And we have -- yes, Legislator Walker.

21 LEGISLATOR WALKER: Thank you,
22 Legislator Gonsalves.

23 I just want to thank Tom for coming down
24 this morning. I know our kids had a great
25 summer, all the different activities that they

were involved in. And I look forward to having a lot of wonderful fall and winter activities also. So you keep up the good work too. I know you do a tremendous amount for all of our kids.

Thank you.

CHAIRWOMAN GONSALVES: I'm not too sure if I can read this. Is it Chris Gavin?

(No verbal response.)

I have no other slips; therefore, the meeting is adjourned.

The next meeting is a legislative meeting, regular legislative meeting on October 21. The following week will be the third budget hearing and budget vote, that's October 28.

(Whereupon, the Full Legislature adjourned at 3:19 p.m.)

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby state:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of October, 2013.

FRANK GRAY